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The Solicitors' Journal.

LONDON, APRIL 20, 1878.

CURRENT TOPICS.

WE ARE GLAD TO LEARN that the strong feeling of insecurity aroused by the Dimsdale case and other recent forgeries of deeds is likely to result in steps being taken to provide a remedy. Mr. Osborne Morgan's motion on this subject, which has been twice shelved owing to the urgent requirements of public business, has now been definitely fixed for the 14th of May next, and it is understood that the Government are prepared to assent to the appointment of a select committee to consider the whole question of securing and simplifying the title to land.

WE REPORT in another column the trial of a man who managed to raise nearly £40,000 by forging deeds, and no one can tell how far such practices may be prevalent. It appeared from the evidence in the recent case that Downs had received the copy of the seal of the British Land Company from another man, who, it seems to be suggested, had used the seal for a similar purpose. Downs would not have been found out if his speculations had prospered; and he had the assurance, in his examination before the magistrate, to attempt to excuse himself on the ground of "the ease with which the money was obtained, for which he considered the solicitors of the mortgagees to blame." But neither he nor anyone else could explain how solicitors, in default of a registry, can help falling victims to forgeries of deeds, executed with the care and accuracy displayed by Downs. It may be objected that even registration is not an effectual safeguard against forgery; but there is this one broad fact to set against objections of this kind—that, as was pointed out at a meeting of the Building Societies' representatives the other day, Roupell operated in Surrey, Dimsdale in Surrey, Kent, and Berkshire, and Downs just outside Middlesex. The rogues, whether reasonably or unreasonably, do, as a matter of fact, avoid the register county, notwithstanding that the state of the register is such as to render it a most inefficient protection. The aim of solicitors should now be to devise some practical suggestion for registration which, while not involving greatly increased cost, shall afford an easy mode of ascertaining the genuineness of deeds. United action will be necessary to lay this suggestion, when devised, before the Select Committee of the House of Commons, and to urge it upon the attention of the Government; and if the Incorporated Law Society desires to earn the gratitude of the profession, it will have to throw off its somnolent dignity, and actively put its shoulders to the wheel.

SCOTCHMEN are not usually supposed to be wanting in shrewdness, and we should have supposed that Scottish judges did not differ in this respect from the rest of their countrymen. The judges in the High Court of Justiciary in Scotland have, however, recently come to a decision which, if correctly reported, makes us doubt whether some cause peculiar to Scottish jurisprudence may not have a tendency to deprive the northern judges of the national common sense. The Sale of Food and Drugs Act (38 & 39 Vict. c. 63) makes it an offence if

any person sell "to the prejudice of the purchaser" an adulterated article. The Court of Justiciary are stated to have held that, when an officer of health or inspector of nuisances, or public officer has made a purchase of an adulterated article under section 13 of the Act, inasmuch as he does not purchase for his own consumption or at his own expense, the sale is not to the prejudice of the purchaser, and consequently no offence is committed. This construction of the Act is simply childish. It is as clear as anything can be that an elaborate machinery is provided by the Act expressly for the detection of offences by means of purchases by officers, as mentioned in the 13th section, and subsequent analysis by public analysts, and if there is no offence committed in cases when the purchase is so made, the Act becomes a dead letter. The sale is to the "prejudice of the purchaser" in the sense in which the Act uses those words, whenever an article which is adulterated is sold to the purchaser as pure for whatever purpose he may be buying it. The exact effect of the words "to the prejudice of the purchaser" may be rather doubtful; but it is quite impossible to suppose, after the most cursory examination of the machinery provided by the Act, that the sale to an officer under section 13 is not an offence. Section 20 appears to us to be conclusive of the matter; and we are glad to find, from a case we report elsewhere, that English magistrates are not taking the same view as the High Court of Justiciary in Scotland.

SIR HENRY JAMES has given notice that on the first opportunity after Easter he will call the attention of the House of Commons to the mode of election of certain judges having extensive criminal jurisdiction, and move:—"That in the opinion of this House it is inexpedient that indictable offences should be tried before judges elected by a representative body." We hope the hon. and learned member will carry out his purpose. If he wants to show the evils of an elective judiciary he need only go to the United States, where an elective judge some time ago secured his election by offering to accept 300dols less than the usual salary of the office. Perhaps, however, Sir H. James need not go further than a recent English election if he wants to see the kind of appeals which are made to "representative bodies" who elect criminal judges. Let him apply to some common councilman of the city of London for the loan of the addresses, "applications," and "testimonials" with which he has been supplied by candidates for the office of Common Serjeant. He will find that the successful candidate appends to his printed "application and testimonials" a kind of autobiographical sketch, entitled "Notanda," which commences with the statement that "Mr. Charley was born in March, 1833, and is, therefore, exactly forty-five years of age," while a foot-note gracefully explains that of his leading competitors, Mr. Serjeant Simon is sixty, Mr. Bristow fifty-six, and Mr. Bourke fifty-one years of age. "Notanda" then, after noticing the events of Mr. Charley's career, including the statement that he "formed the committee, containing 135 members of Parliament, 35 peers, and 40 Queen's Counsel, which preserved the Appellate Jurisdiction of the House of Lords," concludes thus:—

1877. . . . Joined the committee of the Religious Tract Society, and of the Church of England Sunday School Institute.

"Mr. Charley is also a member of the committee of the South American Missionary Society, and of the Church of England Young Men's Society.

"N.B.—In some of the measures of social reform carried by Mr. Charley a deep interest was taken by the Baroness Burdett Coutts."

These facts are very creditable to Mr. Charley, but what bearing have they on his fitness for the office of Common Serjeant?

IT IS OBVIOUS ENOUGH that the practice of one solicitor representing all parties in administration and some other actions opens the door for collusion and malpractice of various kinds, but it is unquestionably a great saving of time and costs, and we have the authority of the Master of the Rolls, in delivering judgment in *Sprunt v. Pugh*, that according to his experience the arrangement is generally beneficial. "He had generally," he said, "found the rule act very well, and to be a great saving of time, trouble, and costs. A misapplication of this sort [in the case before him] might, no doubt, occur in any case where one solicitor acted for all parties, but still he should be sorry, on account of the defalcation of some few dishonest or stupid persons, to interfere with a rule that had hitherto worked fairly well." The observations of the learned judge must, of course, be taken subject to limitations and qualifications which will suggest themselves to all our readers, both as to the class of cases to which the rule applies, and as to the honour and integrity requisite in the practitioners by whom it is adopted. The fact that cases of misapplication are so infrequent is no bad testimony to the truth of Lord Selborne's statement, a few years ago, "that, although in so numerous a profession [as that of a solicitor] there must necessarily be inequalities in point both of intelligence and of matters still more important, the profession, as a whole, discharged its duties in a manner as to which no terms of praise would more than meet the justice of the case." But even one such case as that before the Master of the Rolls brings discredit on the profession, and the moral of the case is precisely that which has been expounded in our correspondence columns of late—that some means must be found for dealing with other forms of malpractice besides actual bankruptcy.

IN CALLING Mr. Parnell to order on Tuesday evening for designating an observation made by Sir H. James "a legal quibble," the Speaker was probably justified by the general rule that all contemptuous or insulting language of any kind is unparliamentary; but the phrase does not convey any very serious accusation or imputation on the motives or conduct of the hon. member to whom it was addressed. Most of the expressions which have hitherto been held to be unparliamentary have erred in this respect. Thus Lord Robert Montagu was called to order in the session of 1868 for speaking of an hon. member attempting "to override the opinion of the House by dodges," and the speaker ruled that the noble lord was not in order in using the word "dodge." The same session the Speaker ruled that the expression, "factious opposition," used by Mr. Gathorne Hardy, was "too strong." And in the next session the chairman required an hon. member to withdraw the expression "jockeyed," as being unparliamentary. It is obvious that the general rule to which we have referred should not be pushed too far, and we incline to think that no very serious consequences would ensue if hon. members were allowed to designate their opponents' distinctions as "legal quibbles."

THE FOLLOWING are the new Queen's Counsel, with their respective dates of call to the bar:—One member of the South Wales Circuit and Parliamentary Bar, viz., Mr. William Henry Michael, Hilary Term, 1864; and one member of the South-Eastern Circuit, viz., Mr. Richard E. Webster, Easter Term, 1868.

By the decease of the late William Spours, Esq., of Charlton Hall, Alnwick, solicitor, who died on the 5th inst., the Solicitors' Benevolent Association becomes entitled, under his will, to a bequest of £500, free of legacy duty; and under the will of the late William Wilkins Dyne, Esq., solicitor, of 61, Lincoln's-inn-fields, who died in November last, to a bequest of £100, less duty.

THE JUDICIAL INVESTIGATION OF MEDICAL QUESTIONS.

IN a communication recently made to a medical contemporary, Mr. Erichsen, the eminent surgeon, has at some length discussed the evils and absurdities attendant upon the present practice of our courts with regard to medical questions arising in the course of civil actions, more especially actions against railway companies for personal injuries. He complains of certain special mischiefs which, in the case of medical witnesses, are superadded to the hardships and inconveniences always attendant upon the position of a witness. He then attempts to show that, after all, the result is unsatisfactory, and that the mode of ascertaining the truth which is employed is so unsuitable that the decision upon the evidence procured at so much loss and inconvenience is little more than accident or guesswork.

We think that a great deal of what Mr. Erichsen says is perfectly true. The complaints he makes with regard to the hardship of being summoned as a witness, so far as the personal interests of the medical man are concerned, are exactly identical with the complaints which any man of business summoned either as jurymen or witnesses could make with equal justice. We sympathize most strongly with them. It must, in our opinion, be an almost intolerable nuisance and hardship to be a jurymen or a witness just at the time, perhaps, when some piece of business especially needs personal supervision and attention. We cannot, however, see why the medical man, so far as his personal interests are concerned, is in a position to claim more consideration than the general public. Mr. Erichsen alleges that it becomes almost necessary in self-defence for the medical man, whose time is especially valuable, to refuse to attend patients whose cases seem likely to lead to being summoned as a witness, and, consequently, that accident cases will often be deprived of the skilful treatment which would otherwise be at their disposal. It certainly appears to us that, so far as the interests of the medical man and the individual patient are concerned, this matter may be left to adjust itself.

The point of view in which Mr. Erichsen's case seems to us the strongest is when the question is regarded in the light of the danger and suffering occasioned to a medical man's patients by his being kept away from his business in attendance upon a court of justice. We will quote his own words, as it seems to us impossible to put the case more forcibly:—"The country surgeon may thus be brought up to the metropolis, or the London surgeon carried down to some possibly far distant assize town in the provinces. He must leave his practice, however extensive, and his patients, however numerous, and however serious and urgent their cases may be. The medical practitioner must leave the case of typhoid which he has watched sedulously up to its crisis; he must absent himself from the woman who is hourly expecting her confinement, or whom he has delivered but a day or two previously. The surgeon must leave the case of retention which his skilled hand can alone relieve; he must give over the amputation, the hernia or the breast case operated on but a few days previously, and hanging between life and death, to the care of an assistant or a fellow practitioner who may know nothing of it."

And for what must all this risk and misery be incurred? Mr. Erichsen indicates the unsatisfactory result in the second branch of his argument, but we will venture as lawyers to speak in much more trenchant terms, and to say that the final cause of this evil is that the absurdest piece of judicial burlesque conceivable may be performed. We have written on this subject before, and endeavoured as fairly as we could to weigh the comparative claims of common sense and scientific knowledge in the balance against each other. The argument in favour of leaving all questions, scientific or otherwise, to be decided by non-experts is that in ordinary life it frequently happens that a man

without special knowledge must yet decide for himself on special matters, and that, on the whole, the safest and most practical course in judicial investigations is to act upon the judgment of ordinary persons, judging as each individual must do when he has in his own life to deal with matters of a special nature. We admit that there is force in this argument, and we admit that we believe the speculations of specialists ought as little as possible to be accepted by the ordinary intellect of untrained men on trust; but we doubt whether the particular mode of investigation adopted in regard to medical questions arising in civil actions is a fair example of the principle that is brought forward in its defence. We feel sure that no impartial and reflecting mind, after sufficient experience of the process which is gone through to ascertain the amount of physical injury involved in a railway compensation case, can feel satisfied with it. It is perfectly true that in common life people have to exercise a judgment on *data* of an imperfect character. The non-expert, as we have said, must sometimes, to some extent, judge of special matters. The clear and thoughtful intellect will, while exercising a judgment under such circumstances, beware of giving too much weight to it; but it is a common habit of imperfectly-educated intelligences to claim for opinion a weight as such, apart from any substantial basis for it. "My opinion is so and so," says the pot-house politician or the club oracle. He and his admirers never seem to reflect that, except so far as such opinion is a reasonable conclusion from sufficiently known and apprehended premisses, it is worth nothing. We fear that the strongest belief in the excellency of the British jury as a means of ascertaining the truth in scientific matters exists in minds of this description, with the exception of common law judges, who believe in juries for obvious reasons. It will be found, we think, that the action of wise men who are not experts on special matters with which they are obliged more or less to deal in ordinary life differs essentially and radically from the process of determination by a jury upon conflicting evidence of experts. If any one, as a man of business, had to deal with a matter involving special knowledge unfamiliar to him, he would no doubt try, as far as possible, to understand the principles of the thing with the assistance of experts. If, however, it was a matter in which it was impossible for him to do so, whether from want of time or the nature of the subject, he would select the best specialist he could find, judging from the general reputation of the person selected, or from such observation of such person's general intellectual capacity as he might have had an opportunity of making, and he would follow the opinion given to him for better or worse. We most confidently assert that a wise man would certainly not adopt the plan of collecting together a number of the most eminent specialists of conflicting views, and, having heard their opinions and requested them to state the reasoning on which they were based—he being totally unable to follow or apprehend such reasoning—and, having caused them to be cross-questioned on the subject by men of great general intelligence, but equally ignorant with himself as to the subject in question, then proceed solemnly to decide for himself. A decision by a jury on conflicting medical testimony is about as sensible as if a jury of Englishmen were empanelled, and, after hearing evidence on one side in French and the other in German, being ignorant of both those languages, proceeded to give their verdict.

It seems to us that, having regard to the very serious inconvenience and risk involved in withdrawing a medical man from his practice, and the very small benefit derived in the way of ascertainment of the truth, a very strong case has been made by Mr. Erichson for an alteration of the present practice. It seems to us that a proper way of dealing with these questions would be that, when it was doubtful what the extent and probable duration of physical injuries were, the court should appoint three

medical men as referees to make a report on the subject. The referees should examine the plaintiff and also consider the evidence of the plaintiff's medical attendants, and the statements of any medical man who might have examined the plaintiff for the company. This would entirely obviate the loss of time and other inconveniences caused by summoning the medical witnesses to the trial. The report of the referees should be used as evidence at the trial, and the jury should calculate the damages on the basis of such report. We cannot see why this should not answer at least as well as the present obviously absurd system, and even if it did not ascertain the truth any better, it would involve much less of the inconvenience and positive danger complained of by Mr. Erichson. When any complication of figures or accounts arises in the course of a case it is at once referred, on the ground that it is an unfit subject to be investigated by a jury. A medical question is really quite as unfit; but the unfitness, though as real, is not so tangible. We should like to see some system such as we have shadowed out applied to cases where compensation is sought for railway accidents.

We must admit, however, that there are many cases to which it would probably be inapplicable. We do not think it would do at all, for instance, to apply it to cases where the question of sanity or insanity is involved with reference to the validity of testamentary dispositions. But these questions in reality are on the borderland between the provinces of the expert and the non-expert—between scientific questions, properly so called, and the metaphysical problems of everyday life. As lawyers we would most distinctly repudiate the claim of science to exclusive cognizance of matters not purely and exclusively scientific but partly moral and metaphysical, even while inculcating the greatest respect for the judgment of scientific men in respect of these matters. But we think that the great bulk of the grievances complained of by Mr. Erichson would be removed if such an arrangement as we suggest were made in regard to the railway compensation cases.

THE WORK OF THE COURTS.

II.

PROBATE DIVISION.

In the year ended 31st of October, 1876, 11,374 probates, against 10,098 in 1875, were granted; and 5,533 administrations, against 4,841. There were, in 1876, 1,206 caveats, 622 appearances, 458 motions, 183 causes, 963 summonses, 22 trials by special, and 13 by common, jury, and 64 causes heard by the judge only. There was one notice of appeal; 344 probates and administrations were granted on hearing of causes, on motion, or on summons; 342 actions and causes were in progress at the end of the year; and 33 causes were ready for hearing and left unheard. There were also 55 revocations of probate or administration; and the total amount of fees in court and contentious business was £2,307, against £1,940 in 1875. In 1876 the value of effects sworn under was £73,258,190.

In the district registries the number of probates and letters of administration granted in common form, i.e., where there is no contention to the grant, was 28,433, against 25,121 in 1875. The value of effects sworn under in 1876 was £53,773,178.

DIVORCE AND MATRIMONIAL CAUSES.

The number of petitions filed in 1876 was 536, as compared with 496 in the previous ten months. Of these, 9 were for nullity, and 400 for dissolution of marriage; 136 for judicial separation, and 26 for restitution of conjugal rights. There were also 140 petitions for alimony *pendente lite*, and 124 answers to the same; and 8 petitions for permanent alimony, with 5 answers. The number of causes tried was 365; there were three

applications for a new trial, and three appeals to the divisional court.

ADMIRALTY DIVISION.

In forwarding the return of proceedings in the Admiralty Division of the High Court of Justice the registrar states that as this is the first made since the Judicature Act came into operation, it should be mentioned that his return for the year ending 31st of October, 1876, relates to the proceedings in the registry as distinct from those before the judge in court, and is limited to the principal registry in London; it does not include proceedings in admiralty actions instituted either in the district registry at Liverpool, or in any of the other district registries in which such proceedings may now be taken.

In 1876, 14 appeals were brought from county courts, 416 actions were instituted, 22 actions were transferred to the Admiralty Division, and the total amount of claims in actions instituted during the year was £1,089,370. Of the 14 appeals brought from county courts, in six cases judgments were affirmed, and in three were reversed. The court sat on 134 days during the year, and the registrar and merchants on 53 days for hearing references. At the beginning of the year the balance of suitors' and other money in hand was £31,203; during the year £79,320 was received, and £95,405 was paid away, leaving at the end of the year a balance of £15,118.

COURT OF BANKRUPTCY.

The report of the comptroller deals with the year ending the 31st of December, 1876. The number of cases administered under the several provisions of the Act of 1869, was 1,360, or about 17 per cent. more than in 1875. The number of adjudications of bankruptcy was 976, of liquidations by arrangement 4,986, and of compositions, 3,287; making a total of 9,249, against 7,889 in 1875, as the number of cases administered during the year. The liabilities and assets declared show, however, a decrease, as compared with those declared in the previous twelve months. The liabilities in 1876 were £20,873,349, against £25,533,644 in 1875; and the assets £6,165,458 against £7,332,779. In 1876, 105 discharges were granted, as compared with 67 in 1875. Of these 105, only nine were granted on the ground that the bankrupts had paid 10s. in the pound. Dividends of that amount have been paid in 146 out of 2,875 bankruptcies closed since the commencement of the Act; and the number of bankruptcies pending on the 31st of December, 1876, was 3,459, against 3,191 at the close of 1875. The trustees of 444 cases were in 1876 reported to the court; in 236 they complied before the hearing of the summons; in 167 orders were made against the trustees; in 36 the trustees could not be served; in one no order was made; and two cases are pending; while in two of the cases in which the orders of the court were not complied with the trustees were committed to prison. The average cost for the year of administration in bankruptcies was about 28 per cent. of the assets; but the assets of 192 small estates were entirely absorbed by expenses, of which the law charges amounted to about 60 per cent. In 1876 the total adjudications were, in the London courts, 294, composed of traders 183, and non-traders 111; in the county courts 632, composed of traders 553, and non-traders 129, making a total of 976 adjudications. The total number of adjudications shows an increase of 11 as compared with the number for 1875. The rates of dividends on the 278 estates closed in 1876 were as follows: in 60 cases not exceeding 1s.; in 66 exceeding 1s. and not exceeding 2s. 6d.; in 66 exceeding 2s. 6d. and not exceeding 5s.; in 38 exceeding 5s. and not exceeding 7s. 6d.; in 17 exceeding 7s. 6d. and not exceeding 10s.; in 18 exceeding 10s. and not exceeding 15s.; and in three exceeding 15s. and under 20s.; and in 10 at 20s.

Under the heading of liquidation by arrangement or composition, the return shows that in 1876 10,034

petitions were filed; 4,986 resolutions were registered; and that there were 1,802 resolutions for discharge. The gross amount of debts was £11,183,949; the gross value of estates, £3,899,059; and the gross amount of stamp duty, £26,385. Under the heading of composition with creditors, it is stated that 3,287 resolutions were registered; that the gross amount of debts was £5,855,877; that the gross value of estates was £1,748,046; and that the gross amount of stamp duty was £12,906. In 159 cases the rates of composition exceeded 10s. in the pound; but in 523 cases they did not exceed 1s.

During the year the number of appeals in bankruptcy presented to the Court of Appeal was 141, and 27 were pending at the end of the previous year. Of these 168 appeals 29 were withdrawn and arranged, 18 were pending at the close of 1876; and in 75 cases judgment was affirmed, in 40 reversed, and in six varied. The appeals presented during the year to the Chief Judge in Bankruptcy numbered 123, while nine were pending at the close of 1875. Of these 132 appeals one was remitted; 10 were withdrawn and arranged; 12 remained pending; and in 31 cases judgment was affirmed, in 72 reversed, and in five varied. In 1876 15,873 bills were taxed, their gross amount being £404,755. Of this sum £66,145 was struck off, and £338,610 allowed, the percentage struck off being 16.3 per cent.

COUNTY COURTS.

In 1876, the number of plaints entered with reference to the recovery of debts was 952,095; and there were also 641 cases from the superior courts. Of the causes determined, 4,280 were heard with, and 542,692 without a jury; and the judgment in 304,818 cases was for the plaintiff, in 189,102 for the plaintiff by consent or admission, in 35,435 for the plaintiff by default, and in 10,589 for the defendant; while in 7,028 cases there was a non-suit. The number of judgment summonses issued was 98,264; and 51,739 of these were heard. There were also issued 23,116 warrants of commitment, and 194,656 executions against goods, 4,228 debtors being imprisoned, and 4,335 sales made. The total fees on all proceedings was £403,197. There were during the year twelve warrants issued for the arrest of absconding debtors, and 852 orders made for the protection of wives deserted by their husbands.

In the number of plaints issued there is an increase of 73,602, or 8.3 per cent. upon the number for 1875; but the cases from the superior courts show a decrease of 12 as compared with those in that year. The number of days of sitting for the whole of the circuits was 8,269 in 1876 and 8,110 in 1875, giving averages of 66.1 and 60.1 causes per diem in the two years respectively. The sum for which plaints were entered in 1876 exceeds that for 1875 by £320,535; and the costs in 1876 amounted to £28,188 more than in 1875, while the fees show an increase of £35,507.

The number of equitable suits and proceedings in the county courts in 1876 was 655; 430 plaints were entered, and 205 petitions or notices were filed. The amount of subject-matter in dispute or otherwise was £94,928, and of costs allowed, £3,776. The number of admiralty suits, &c., during the year was 327, and the number of final decrees was 124. The claims amounted to £34,801; the costs allowed to £1,808, and the fees to £1,439.

CITY OF LONDON COURT.

In this court, during 1876, 19,021, against 16,339 plaints in 1875, were entered for the recovery of debt; and there were 14 cases from the superior courts. The number of causes determined was 7,613, of which 51 were heard without a jury; 1,094 judgment summonses were issued, and 408 heard; 126 warrants of commitment were issued, and 11 debtors imprisoned; and 3,135 executions against goods resulted in 33 sales being made. The equitable suits or proceedings in this court were nine in number against 12 in 1875; and the number of admiralty suits, &c., was 242 against 214 in 1875.

ECCLESIASTICAL COURTS.

The number of suits in these courts in 1876 was 18 against 20 in 1875. Fourteen of those in 1876 and 10 in 1875 were in the Arches Court of Canterbury; and the nature of the proceedings was as follows:—Church rates, 1; under Public Worship Regulation Act, 1874, 5; against granting a faculty, 1; and other suits 11. Four of the suits were dismissed; in one there was judgment for the plaintiff; in two the defendant was admonished; in one inhibited; in two, decree or order was affirmed; one was transmitted to the Court of Arches; one was agreed; and six were pending at the end of the year. Further, there were 274 suits for faculties against 267 in 1875; and in 1876, in 292 cases, faculties were decreed and in three refused; while two cases were in progress.

DIVISIONAL COURT OF APPEAL.

In the ten months ending 31st of October, 1876, it is shown that the number of special cases filed under 12 & 13 Vict. c. 45, was 9, of which 5 were argued; and under 20 & 21 Vict. c. 48, 66, of which 42 were argued. There were also 21 appeals from county courts, of which 16 were argued; and in addition, appeals by motion pursuant to 38 & 39 Vict. c. 50, s. 6; 29 orders *nisi* were granted, 11 made absolute, 6 discharged, and 14 refused.

COURT OF APPEAL.

The following summary of the work done in her Majesty's Court of Appeal is taken from a return furnished by the registrars of the Chancery Division of the High Court of Justice for the year ending the 31st of October, 1876:—

1.	Total appeals from Chancery Division for final judgment awaiting hearing at the beginning of the year	...	...	...	17
	Set down during the year	...	...	...	380
	Heard during the year	...	...	...	209
	Otherwise disposed of	...	...	...	27
	Awaiting hearing at end of the year	...	...	...	161
2.	Appeals from interlocutory orders awaiting hearing at beginning of the year	...	...	...	20
	Set down during the year	...	...	...	118
	Heard during the year	...	...	...	109
	Otherwise disposed of	...	...	...	9
	Awaiting hearing at end of the year	...	...	...	20
3.	Original motions set down during the year	...	...	...	20
	Heard during the year	...	...	...	16
	Otherwise disposed of	...	...	...	1
	Awaiting hearing at end of the year	...	...	...	3
4.	Appeals from County Palatine of Lancaster set down during the year	...	...	...	7
	Heard during the year	...	...	...	7
5.	Appeals from Stannaries Court set down during the year	...	...	...	3
	Heard during the year	...	...	...	3
6.	Number of days the court sat at Lincoln's-Inn	...	...	...	168
	At Westminster...	...	...	...	66
					234

The Lord Chancellor sat nine days in the Judicial Committee of the Privy Council, forty-four days in the House of Lords in the hearing of appeals, and six days on committees for privileges.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

In 1876 the number of appeals entered was 89 against 104 in 1875. Of these 89, 14 were dismissed for non-prosecution, and 58 were heard and determined. The number of appeals lodged since the 1st of April, 1870, which remained for hearing on the 1st of January, 1877, was 118. For extension or confirmation of letters patent 9 appeals were lodged, 2 withdrawn, 1 dismissed, and 4 granted; 1 petition or other matter was especially referred; and their lordships heard 38 motions and

petitions in appeals (interlocutory) argued by counsel, and sat on 117 days in 1876.

HOUSE OF LORDS.

In 1876 the number of cases from each of the courts was as follows:—Court of Chancery (England), 9; Court of Chancery (Ireland), 2; Court of Exchequer, 1; Court of Exchequer Chamber (England), 7; Court of Session (Scotland), 17; and Court of Appeal, 6. Of these 42 cases, 2 were withdrawn and 9 dismissed for want of prosecution; 26 judgments were delivered, 2 were varied, 7 reversed, 5 reversed with declaration or direction or finding, the total judgments being 40 against 46 in 1875. The total number of effective causes remaining for hearing at the end of the session of 1876 was 8 against 13 at the end of the session of 1875.

Reviews.

JUDICATURE ACTS.

THE SUPREME COURT OF JUDICATURE ACTS, APPELLATE JURISDICTION ACT, 1876, RULES OF COURT AND FORMS, &c., &c., WITH PRACTICAL NOTES. By ARTHUR WILSON, Barrister-at-Law. Second Edition. Stevens & Sons.

In the present edition several typographical changes have been introduced which, while slight in themselves, will not be slight in convenience to the reader. The marginal headings referring to the sections or rules are extremely legible, the distinction between section or rule and note is clearly marked, and the italics in which repealed matter is printed are very distinct. Moreover, the table of cases, containing a reference to each series of reports, which Mr. Biddle has prefixed to the work, is a valuable feature. The table should have contained references to the reports of chamber cases in this journal; and where a case has been *reported* we see no necessity for the references to the *Weekly Notes*; but the table has been prepared with care and accuracy. As regards Mr. Wilson's notes, we can only say that they are indispensable to the proper understanding of the new system of procedure. They treat the principles upon which the alterations are based with a clearness and breadth of view which have never been equalled or even approached by any other commentator. Take, for instance, the notes to rr. 1 and 17 of ord. 16, and to r. 1 of ord. 17; they explain the nature of the provisions and the reasons for them in terms simple enough for the student, while they give practical information in precisely the terse and intelligible way the busy practitioner desires. Mr. Wilson does not profess to give every decision, but, after a careful examination of the notes, we are inclined to think he has fulfilled his statement that he has noted all the more important cases down to the end of last Michaelmas sittings.

LEASES.

PRECEDENTS OF LEASES, WITH PRACTICAL NOTES. Second Edition. By JOHN ANDREWS, B.A., Oxon, Solicitor, Reeves & Turner.

This is a very useful collection of routine forms of leases of the kind most frequently needed in a solicitor's office. There are a dozen precedents of leases in Part II., and Parts I. and III. contain precedents of agreements and miscellaneous instruments. Part IV. is devoted to forms of notices. As to the forms of agreements and leases, there is not much to be said. They are, of course, framed after the models in common use, and in general they are carefully prepared. We do not like, however, the precedent, on p. 6, of agreement for letting a cottage from year to year, which, Mr. Andrews states, is in use on a large estate in Herefordshire. In the first place, what is the use, in an actual demise, of the landlord

agreeing to let and the tenant agreeing to take? The one should let and the other take; in the next place, although usual, it is not correct or convenient to limit an estate from year to year "for the term of one year, from the day of , 18 , and so on from year to year." Is it really usual to reserve the game and rabbits in letting a cottage, even with a garden? In the next precedent (for letting a farm from year to year) the tenant is made to agree "not to . . . permit to be taken on the lands any dog, except for the purposes of driving cattle or sheep"—a provision which a tenant would be ill-advised if he assented to. The notes are exceedingly good; practical, concise, and, so far as we have observed, accurate; and there is an index of special precedents given in Part VII., which, although not exhaustive, will be found very useful by practitioners who have not Mr. Copinger's book at hand.

SETTLED ESTATES ACT, 1877.

THE SETTLED ESTATES ACT, 1877, WITH INTRODUCTION, NOTES AND FORMS, AND SUMMARY OF PRACTICE. BY JAMES W. MIDDLETON, Barrister-at-Law. Stevens & Sons.

This little book commences with an introduction, containing a short history of the Acts, and a tabulated view of the principal new provisions. In the table of contents the corresponding sections of the repealed Acts are given, and in the appendix forms of petitions and orders, a summary of practice, and the rules in the Consolidated Orders. The notes to the sections of the Act are carefully compiled and generally well arranged. We do not see, however, what the Confirmation of Sales Act has to do with section 16; or why, having regard to section 19, it is necessary to mention that Act at all. But the book is a well-timed and useful manual of the Act.

UNITED STATES MINES.

TITLES TO MINES IN THE UNITED STATES, &c. By W. A. HARRIS, Barrister-at-Law. Stevens & Haynes.

The miners' rules of the districts of the Western States are, it appears, a mixture of Spanish law and English common law, and Mr. Harris commences with a short account of the rules borrowed from the Spanish codes. He then gives the mining laws of the United States from the revised statutes, with explanatory notes, and then adds title viii. of the Civil Code of California, as to water rights, and some other Acts and extracts from Acts. We cannot pretend to judge as to the correctness of Mr. Harris's statements or deductions, but his notes appear to be practical and clearly written.

The terms of Mr. Osborne Morgan's motion in the House of Commons on land registration will, we believe, be somewhat as follows:—To call attention to the question of Land Registration and to the working of the Acts of Parliament regulating the same; and to move for a select committee to inquire into and report upon the comparative advantages of the registration of assurances and registration of titles, and generally to inquire and report whether any and what steps ought to be taken to secure and simplify the title to land and to facilitate the transfer thereof.

At the Bath Quarter Sessions, on Saturday, a prisoner undergoing sentence was brought up from the Bath gaol, to be tried on another charge. At the close of the case the Recorder (Mr. T. W. Saunders) strongly objected to the prisoner being brought before the court in prison garb, and said that it was calculated to prejudice him in the eyes of the jury. Major Preston, the governor of the gaol, said that the practice was adopted in other gaols, and that, the man being under sentence, he was not empowered to allow him to wear his own clothes. The Recorder repeated his dissatisfaction.

General Correspondence.

A NEW JUSTICE IN EYRE.

[To the Editor of the *Solicitors' Journal*.]

Sir,—I should be glad if you would kindly give publication to the following facts:—A new bar examiner in equity has been appointed. Papers must be given up at one o'clock, and on other occasions the *vivæ voce* examination was concluded at about four. But when that hour arrived the hall was still half full, and on representations being made to him, the examiner declared his readiness to sit, if necessary, till ten, and added that those not taken might come down and finish their examination next day at the House of Lords, as he had business there.

It is needless to point out the inconvenience to which many bar students were put, many of whom were engaged to dinner, by the examiner's lengthy style of examination; and I am sure that if 19 Geo. 2, c. 21 [as to profane oaths], could be put into effect, the poor of the parish in which Lincoln's Inn is situated, would be in comparatively affluent circumstances.

Hoping that these lines may either have the effect of shortening the *vivæ voce* in future, or at any rate warning future victims, while inclosing my name and address to prove the *bona fides* of this communication, I beg to subscribe myself,

AN EXAMINEE.

Cases of the Week.

VOIDABLE LEASE BY CHARITABLE CORPORATION—13 ELIZ. C. 10.—STATUTE OF LIMITATIONS—ACTION FOR RECOVERY OF LAND—EVIDENCE OF PLAINTIFF'S TITLE—COUNTERPART OF LEASE—ADMISSIBILITY IN EVIDENCE.—In a case of *The Governors of Magdalene Hospital v. Knott*, decided by the Court of Appeal on the 16th inst., an important question arose upon the constitution of the Statute of Limitations (3 & 4 Will. 4, c. 27). The appeal was in form an appeal from the decision of Fry, J. (26 W. R. 141, *ante*, p. 51), but was, upon the main point in the case, in substance, an appeal from the decision of Jessel, M.R., on a demurrer to the statement of claim (25 W. R. 181, L. R. 5 Ch. D. 175). The action was brought by a voluntary charitable society, founded in 1758, and incorporated by statute in 1768, to recover possession of some land of which the defendants were in possession, and which the plaintiffs alleged was comprised in a lease granted by the corporation in 1783 to one Gilbert for ninety-nine years, at a peppercorn rent, if demanded. There were no onerous covenants in the lease, and on its face it appeared to have been granted without any consideration other than the rent and covenants. It was alleged that the defendants had derived title through Gilbert. The plaintiffs claimed to recover possession of the property, on the ground that the lease was void under the Act 13 Eliz. c. 10, s. 3. The defendants demurred to the statement of claim, on the ground that the plaintiff's right was barred by the Statute of Limitations. Jessel, M.R., overruled the demurrer, holding that the statute of Elizabeth operated to make the lease only voidable, not void, and that the Statute of Limitations did not, therefore, begin to run until the plaintiffs had taken some step to avoid the lease—i.e., not until the issue of the writ in the action in July, 1876. The action was afterwards transferred for trial to Fry, J. The defendants had, by their statement of defence, repeated the defence which they had raised by the demurrer, and had further relied upon their possession as purchasers for value without notice, and had put the plaintiffs to proof of their title. Fry, J., considered that he was bound by the decision of the Master of the Rolls on the demurrer, and the question of the Statute of Limitations was not argued at the trial, the main contention then being that the plaintiffs had not made out their title. Fry, J., held that the plaintiffs had given sufficient *prima facie* proof of their title by proving the conveyance of the land to them, the counterpart of the lease of 1783, and the identity of the land of

which the defendants were in possession with that which was comprised in the conveyance and the counterpart, and that this evidence was not rebutted by the defendants showing that their predecessors in title had, in deeds executed between 1853 and 1877, affected to deal with the land as being the owners of it in fee. Judgment was accordingly given for the plaintiffs. The Court of Appeal (James, Cotton, and Theisinger, L.J.J.) agreed that the plaintiffs had made out their title to the land, but they differed from the conclusion of Jessel, M.R., as to the effect of the Statute of Limitations, holding that the plaintiffs' right to recover was barred by that statute, and directing, therefore, that judgment should be entered for the defendants. With regard to the evidence of the plaintiffs' title, Theisinger, L.J. (who delivered the judgment of the court), said that the fact of the execution of the lease was admissible as proof of an act of ownership on the part of the plaintiffs, *prima facie* evidencing a title in fee, and, the defendants being in possession of land included in the lease, the law would refer that possession to a rightful rather than a wrongful title. There being a course through which title might be lawfully derived—viz., by supposing the defendants to be privy to the term, their possession would be *prima facie* referred to that privity, and it was for the defendants to prove that it was referable to some other title. This they had not done. With regard to the question of the effect of the Statute of Limitations, the court were clearly of opinion that the lease was not void, but only voidable, but that still, by section 2 of the Statute of Limitations, the period of limitation ran from the granting of the lease, inasmuch as an action of ejectment might have been commenced the very day it was granted. The argument on the part of the plaintiffs amounted to this: that the right to re-enter, and, consequently, the right to bring an action, did not arise in such a case until the mind of the lessor determined to avoid the lease, and that the issuing of the writ, although not the actual election itself, was an overt act evincing the election to avoid, and making the right of action accrue only upon the election so evinced—i.e., upon the commencement of the action. This argument, however, appeared to their lordships to be a mere speculative refinement, not consistent with fact or reason. The supposed election had no real existence at all apart from the writ, and why then was an election to be presumed other than the election which was constituted by the action itself? And, if the action required no precedent act to support it, how could it be said that the right to bring the action did not accrue as soon as the lease was made? In truth, in the case of a claim to the possession of land, the real right was the right of entry, and the right of action was only given to enforce the right of entry. By the theory of the law, a man, who was entitled to the possession of land in the actual occupation of another, had a right, if he could do it peacefully, to eject the intruder, and to put himself in his place, and it was on the theory that he was prevented from so righting himself that he appealed to the Sovereign to do him right, and to put him in possession. Where a lease was voidable the right was, not to enter and thereby avoid the lease, but to take possession notwithstanding the lease, treating the lease as void, and when that right accrued, there was the right of entry within the meaning of the statute. There being in the present case no personal disability, the right of entry, and the consequent right of action, existed the moment that the lease of 1783 was granted, and from that moment the period of limitation began to run. This conclusion was in accordance with the decisions in *Attorney-General v. Magdalen College*, (6 H. L. C. 189); *Attorney-General v. Davey* (4 De G. & J. 136); and *Attorney-General v. Payne* (27 Beav. 160). Jessel, M.R., had attempted to distinguish those cases, on the ground that in them "there was right to impeach the lease upon equitable grounds immediately after it was granted. It was not like a case of avoidance, it was an original defect in granting the lease." The court admitted that there was some foundation for this distinction. Where a lease was made in breach of trust, the avoidance of it took effect *ab initio*, and the lessor might have to account for back profits, whereas the possession of the lessee under a voidable lease was lawful until the lease was actually avoided, and the lessee was not liable for mesne profits prior to the avoidance. It might be said, therefore, that in the one case possession was adverse throughout, while in the other it only became adverse when the determination to put

an end to it was communicated by the service of a writ or otherwise. The Statute of Limitations, however, had got rid of the doctrine of adverse possession, and had rendered immaterial any inquiry into the nature of the possession of the person against whom the claim to land or rent was made. The question under it, and upon which the cases referred to proceeded, was whether twenty years had elapsed since the claimant's right of entry or action had accrued, and, if a lease voidable under the statute of Elizabeth might, equally with a lease in the granting of which there had been an "original defect," be impeached by entry or action, without any precedent act on the part of the person impeaching it, the principles of law which governed the one case were equally applicable to the other, and the decisions referred to became authorities. At any rate, the mischief intended to be remedied by the statute was to be found in the one case as well as in the other, and, when the argument for the plaintiffs was reduced to so fine a point as that the writ in the action was to be looked upon as, at once the machinery by which the action was commenced, and the act by which the right to commence it was given, or at least evidenced, common sense would seem to demand that the court should sweep away such a refinement in favour of the more simple view, which carried out the objects of the statute, and was at the same time consonant with its express language, that a right to issue a writ to recover land held under a voidable lease, without proof of any prior act evidencing an election to avoid it, was a right to bring an action within the meaning of section 2 of the Statute of Limitations. It was satisfactory to feel that this interpretation of the statute would, in the present and similar cases, prevent the infliction of very serious hardship. The lapse of more than ninety years, during which large sums of money must have been expended upon the demised property, and numerous transfers must have taken place, on the faith of the title under the lease not being disturbed, gave to proceedings under the old statute of Elizabeth a very harsh aspect, and when it was considered that there must be many titles which, if their origin in the remote past was inquired into, would be impeachable under the same statute, but for the existence of some limitation upon the right of action, the convenience of applying the Statute of Limitations to such cases became apparent. Judgment was accordingly ordered to be entered for the defendants, with costs.

The *Japan Daily Herald* says of the new Japanese penal code:—"The perusal of the new Japanese penal code cannot but impress the reader favourably. In no branch of the administration has the Government made such enormous and beneficial changes as in the law relating to crimes and punishments. Formerly death was inflicted for almost trivial offences, and no other method was known of punishing heinous crimes save by accompanying that death with tortures of the most painful description. Now the only modes of capital punishment are by decapitation or by hanging. In no case is there any accompanying torture. Nor is capital punishment prescribed for other or lesser offences than murder, arson, for ringleaders of riots, and for the sale of opium. The other ordinary penalty for crimes is penal servitude for 10 to 100 days, or 1 to 10 years, or for life. There is a third class of punishment, exposure in a pillory in the prison yard, which in some cases is substituted for short terms of penal servitude. Armed robbery is punished with penal servitude for life, common robbery and theft according to the amount stolen; if over 1 yen with 60 days' penal servitude, if over 300 yen with penal servitude for life. Assault is punished according to the injury inflicted, for instance, with one year's penal servitude for two fingers or two teeth broken. The law contains most minute instructions to the judges how to modify the ordinary scale of punishments in cases of attempt, complicity, or repetition of offence. It has a tender regard for the weaker sex in ordering that women shall not be imprisoned unless for serious offences, but be given into the custody of their husbands or relations. It is an unhappy provision in this law, and one that has been most probably the cause of many an extensive conflagration, that he, who accidentally sets fire to his own dwelling-house is to be punished with a certain amount of penal servitude: the natural consequence has been that, when an accident does happen, the guilty person tries unaided to conquer the fire, until it overpowers him, and assistance comes too late."

**THE CRIMINAL LAW EVIDENCE
AMENDMENT BILL.**

The *Scottish Journal of Jurisprudence* prints the following report of the Committee of the Faculty of Advocates on this Bill presented to the Faculty at a meeting held on the 13th ult.:

"By the last section of the Bill in question it is provided that it shall not apply to Scotland, and the committee was appointed to consider whether a similar Bill should be introduced for Scotland.

"The committee felt that the proposed change involved one of the most important questions which have come before the faculty, and accordingly it was very carefully considered by them.

"The third section, which provides that any prisoner or defendant shall be allowed, if he think fit, to give evidence on his own behalf, is the leading provision of the Bill; and the committee, by a majority of one, have decided to recommend to the faculty that the same, or a similar provision, should be applied to Scotland. The majority consists of the Dean of Faculty Mr. Scott, Mr. Mair, Mr. Trayner, Mr. Donald Crawford, and Mr. W. C. Smith; and the minority of the Solicitor-General, the Vice-Dear, Mr. Crichton, Mr. F. W. Clark, Sheriff of Lanarkshire, Mr. Hallard, and Mr. Hunter. In a matter of this kind it has been considered desirable that the views of the minority should be placed before the faculty; and accordingly a statement of their views, drawn up by the Sheriff of Lanark, is appended to this report.

"The majority are of opinion that the exclusion of the evidence of prisoners is the last remaining shred of a bygone system by which direct evidence was almost wholly shut out; and that after the testimony of parties, and their husbands or wives, has been admitted even in consistorial causes, its exclusion in criminal prosecutions is an anomaly which ought not to be continued. They are satisfied that in very many cases such an exclusion leaves a painful uncertainty in the minds of the jury, and in some leads to actual injustice. Indeed, in several species of crimes—such as, *inter alia*, rape, assault, and embezzlement—it frequently puts the panel at the mercy of the principal witness; and in others—for example, theft established by recent possession—it often makes the conviction of the prisoner dependent on mere presumption. They are unable to see why a person accused of crime, and who, until proved guilty, is presumed to be innocent, should be prevented from giving evidence on a matter so nearly affecting him. They are not insensible to the danger of an unseemly wrangle occasionally arising between a too zealous judge and a prisoner, but that could not extend, as it does in French causes, beyond the special charge under trial; and they have confidence in the good sense of Scotch judges, and in the effective protection afforded against any temptation to abuse by the presence of the jury and the assistance of the prisoner's legal advisers. They can also have no doubt that, if such an abuse occurred once, the comments of the public press would render a second instance extremely unlikely. It has been suggested that the prisoner is sufficiently protected by his judicial declaration, or by the right to lodge a special defence, and by himself or his counsel to make the last statement to the jury; but the special defence and the counsel's speech are not evidence in the panel's favour, and both must be founded on the proof adduced, while the declaration, even if made evidence, may be given at a point of the case when the circumstances which may require the explanation and evidence of the prisoner are not yet brought out, and when the panel, without the opportunity of advice, must, in most cases, be in a condition of confession and mental excitement entirely unfitting him for giving a clear statement of the facts. The majority of the committee are satisfied that the proposed change would lead to the more certain conviction of prisoners when guilty, and at the same time give additional protection to the innocent. They agree with the minority in thinking that, if it be introduced, it shall be incumbent on the prisoner who wishes to give evidence, to include his own name in his list of witnesses.

"With regard to the fourth section, which provides that a prisoner shall be allowed, if he or she think fit, to call as a witness his wife or her husband, the committee are unanimous

in recommending that the same or a similar provision should be extended to Scotland.

"The fifth section provides that where one or more prisoners are joined in the same indictment, or are together charged with the commission of the same offence, any one or more of them shall be entitled to call any other of them, or the wife or husband of any other, provided that no such prisoner shall be called against his will. The committee, with one exception, are unanimous in favour of this provision, with the alteration (which, however, is not approved of by one or two members) that the prisoner called as witness shall not be entitled to refuse to give evidence, but, as in divorce cases, shall not be bound to answer any question tending to criminate himself.

"The remaining clauses of the Bill are intended to carry into effect these leading provisions, and they have been considered by the committee on the view that these pass into law.

"On this footing the committee approve of section 6, which provides that a prisoner giving evidence for himself shall do so on oath, and subject to cross-examination; but with the alteration that no prisoner, called by another prisoner under section 5, shall be bound to answer any question tending to criminate himself; and that no prisoner shall in any case be bound to answer whether he has been charged with or has committed any other offence, but shall only be bound to answer whether he has been previously convicted.

"The committee approve of section 7, which has reference to the procedure when the prisoner gives evidence, but with the alterations necessary to make it applicable to Scotland; and also of section 8, which enacts that nothing in the Act shall prevent the prisoner addressing the jury.

"Section 9 has reference to English criminal practice; but the committee are of opinion that if a similar Bill is applied to Scotland, a provision should be inserted for the continuance of the system of declarations, which will, in that case, become essential for the prosecution, and they think that the prisoner should have a legal right to insist for production of his declaration, and should also be liable, in the event of his electing to give evidence, to be examined by the prosecution on what he has stated in it. A majority of the committee are also of opinion that a prisoner should be entitled to legal advice from the moment of his apprehension.

"The committee also approve of section 10, which declares that the failure of the prisoner to give evidence shall create no presumption against him; but they are divided upon section 11, of which the majority disapprove. The latter section makes the prisoner liable to prosecution for perjury in the event of his giving false evidence; and they consider that it may, in the case of the acquittal of the prisoner, lead to abuse on the part of the public prosecutor, while, if he is convicted, the sentence inflicted by the judge will probably be an adequate punishment. On the other hand, it is thought by those members who are in favour of the clause that the jury would pay little attention to the mere statement of a prisoner, made by him on a different footing from that of other witnesses, and without any fear of consequences in the event of untruth."

"REPORT OF MINORITY ON SECTIONS 3 AND 6.

"The provisions of sections 3 and 6 enabling a prisoner to give evidence in his own behalf on oath, and subject to cross-examination under the sanction of perjury, seems open to grave objection without any preponderating advantage. It cannot, it is thought, be validly urged, according to the theory of Scotch law, that an accused person has not an opportunity of telling his own story, or giving his own explanation of the facts as they come out in the evidence. He has an opportunity of stating anything he thinks proper in answer to the charge before he is committed for trial. And this declaration will—at least in modern practice—be laid before the jury if he desires it. Furthermore, he may lodge a special defence previous to his trial. Lastly, he is always entitled to the last speech at the conclusion of the evidence, and in that he has the most ample opportunity of clearing up, through his counsel, such ambiguities or misconceptions as might otherwise militate against him. To allow him in addition to tender himself as a witness would, it is thought, be of no advantage either to himself or to the ends of justice. A man of nervous, stupid, or feeble temperament, and labouring under the excitement of a criminal trial, might, in cross-examination, or in answering questions from the bench and the jury, be placed at a great disadvantage; and such a system might prove in this contry, as it has proved elsewhere

where, the occasion of unseemly wrangling between the accused and his interrogators, in which that calm judicial frame of mind so essential to the ends of justice might be seriously disturbed. It is thought, however, that what is in modern practice always conceded as a privilege ought to be converted into a statutory right, and every prisoner should be entitled to demand that his declaration be laid before the jury.

"It has been suggested, that even assuming the prisoner has by the procedure above referred to an opportunity of giving his own account of what took place to the fullest extent, he labours under this disadvantage, that his statement is not made under the sanction of an oath, and therefore is not so likely to impress the jury. This appears very doubtful. When a man is tried on a serious charge, if he be really innocent he will, in all probability, tell the truth whether on oath or not. If, again, he is really guilty, he will not, in all probability, hesitate to add the guilt of perjury to his original offence. Before, therefore, it could be known what weight was to be attributed to the oath of an accused person, it would be necessary to ascertain whether he was innocent or guilty of the charge on which he was being tried—a procedure which looks very much like reasoning in a circle. Nor does the provision that, though acquitted of the crime charged, he may afterwards be indicted for perjury, seem greatly to mend the matter. If tried by the same jury and on the same evidence, he would necessarily obtain an acquittal. To import additional evidence with the new trial, or to submit it to a new jury, would practically involve a retrial of the original offence. And this, for many reasons, would be most undesirable.

"One great and obvious objection to allowing prisoners to tender themselves as witnesses in their own defence, is the presumption that would thereby be created against such as did not avail themselves of this option. Section 10 endeavours to guard against this, by providing that failure to give evidence shall not create such a presumption. It does not, however, seem possible to counteract by any statutory enactment the force of a presumption which naturally suggests itself to the untrained minds of a jury. The only benefit of the provision would be that the judge would be bound to tell the jury that they must dismiss any such presumption from their minds.

"If it should ever become law in Scotland that an accused person might tender himself as a witness at his own trial, it would seem absolutely necessary in the interests of justice that he should be liable to be confronted with the declaration already emitted. As the accused could only be examined among the witnesses for the defence, and as he would probably only call himself as the last of his own witnesses, he would otherwise have an opportunity of making a plausible statement at the close of the case, which the prosecutor would have no means of refuting."

"At a meeting of faculty held on the 15th ult. to consider the above report, it was moved by Mr. R. V. Campbell, and seconded by Mr. Black, that the law should be altered so as to allow persons who are accused of crime to be competent though not compulsory witnesses. The Solicitor-General moved as an amendment that no alteration be made in the law on this matter, which was seconded by Mr. Guthrie-Smith. On a division the motion was carried by 23 to 17. Mr. McLaren moved, as an addition to Mr. Campbell's motion that, it should be competent to examine a prisoner as a witness on the motion of the prosecutor, which motion, being seconded by Mr. Taylor Innes, was carried by 16 to 9.

"At a meeting of faculty, held on the 19th inst., the dean read two letters which he had received from the Hon. E. Ashley and the Right Hon. Gurney, who had charge of the Criminal Law Evidence Amendment Bill. They stated that the Bill had been read a second time, and had been referred to a select committee, which would not, however, sit till after Easter. They also expressed their opinion that the committee would gladly receive any communication or evidence as to the expediency of extending the principle of the measure to Scotland. The faculty then agreed to the re-appointment of the committee, with instructions to take such measures as they think right, with the view of carrying out the resolution which was come to at the meeting of the 15th.

SOLICITOR MAGISTRATES.

On Friday last, at the Bath City Police-court, a deputation of solicitors attended to congratulate Mr. T. W. Gibbs upon his elevation to the magisterial bench.

Mr. H. Burne (President of the Bath Law Society) addressed him on their behalf. He observed that until a very recent period solicitors had been entirely excluded from the bench, but he congratulated the profession that that exclusion had been now set aside, and that a magistrate had been appointed from their ranks, the new name being considered in the list submitted to the Lord Chancellor entirely upon the qualifications which they possessed. In Mr. Gibbs' case he felt that those qualifications were of no common order, he having been introduced to the study and practice of the law by one whose name was still remembered in Bath as second to none, both in the practice of his profession, and in the performance of those duties which devolved upon him as a citizen. He alluded to the late Mr. Frederick Dowding. Mr. Gibbs had been in active practice for nearly forty years, during that time having been elected town councillor and alderman, a member of the School Board, and vice-chairman of the Board of Governors of King Edward's School, and what was still more important, having filled the office of chief magistrate, and acquired the experience of those duties which he had now permanently to perform, he brought with him qualifications which could not fail to be of the very greatest use. Though he and his colleagues were assisted by a gentleman in the person of their clerk (Mr. Payne), who was possessed of great legal attainments and experience, nevertheless his own legal knowledge and official training could not fail to be an acquisition. He would be sorry to let it be understood that Mr. Gibbs had exclusively devoted his active mind to the dry details of his profession, and that his judgment might, for that reason, be warped by the technicalities of law. They knew that he had also devoted his time to literature, and he might refer to that lecture which he lately delivered at the Literary and Scientific Institution, upon the life and memorials of Laurence Sterne. It was one of the most touching characters of that author—Poor Maria—who made use of the words "God tempers the wind to the shorn lambs." He and his colleagues felt confident that Mr. Gibbs would, when called upon to pass sentence on some unhappy offender, which must fall to his lot, temper justice with mercy, and it was a matter of very great satisfaction to the profession of solicitors that he, a practising member of their body, should have been elevated to the magisterial bench. It only remained for him, on behalf of his brother solicitors, to repeat their congratulations upon his being placed in the commission of the peace, and to express their hope that he might be long spared to discharge the duties of the high office which he was now called upon to perform, and for which he was so eminently qualified.

Mr. T. W. Gibbs said he begged to assure Mr. Burne and the other members of his profession, of the very high appreciation of the compliment which they had paid him, and of the very graceful terms in which he had conveyed it to him. He must confess that he regarded his appointment, not more as a compliment to himself than to the profession to which he had belonged for thirty-eight years, and in which he had practised during that time, in his native city, amongst those to whom he was well-known. He regarded it with additional satisfaction, because he thought they might look upon it as one indication, amongst others, of the breaking down and removal of that barrier with regard to the admission of other members of that profession to magisterial duties. The bench of magistrates at Bath had had for many years, the advantage, which he hoped it would long retain, of the services of gentlemen of the military and naval professions, of the medical profession, of gentlemen eminent in almost every department of business, of gentlemen retired from business, and of gentlemen, who, fortunately for themselves, were in no business, but the oldest amongst them could not recollect the appointment of any magistrate from the ranks of the profession to which he esteemed it an honour to belong. It must surely be admitted to be an anomaly that the study and practice of the law should be deemed a disqualification for taking part with others in the administration of the law, particularly when those persons who were so excluded bore their share in every other social and general duty of citizenship, and when

they were admitted to every other position of civic trust and dignity. The honour they had paid him would always remain in his recollection. It had been gratifying to him to receive the assurances of his fellow-citizens of various grades, of the satisfaction with which they had regarded his appointment, and he would thank them again for the very high honour they had paid him, and which he deeply appreciated, and the bench for the honour they had done him in allowing him to express his satisfaction.

Major BRICKMANN said perhaps they would permit him to assure Mr. Gibbs with what pleasure his brother magistrates saw him amongst them, and what a valuable acquisition they felt he would be to them.

Appointments, Etc.

MR. MICHAEL GOULD, barrister, of Madras, has been appointed Administrator-General for the Madras Presidency, in the place of Mr. John Miller, deceased. Mr. Gould was called to the bar at Dublin in 1861.

MR. THOMAS JOSEPH SWORDER, solicitor, of Hertford, has been unanimously elected Town Clerk of that borough, and has been appointed Under-Sheriff for Herts, in succession to his partner, the late Mr. Matthew Skinner Longmore. Mr. Sworder is the son of the late Mr. Thomas Sworder, solicitor, of Hertford. He was admitted a solicitor in 1868, and is clerk to the Hertford Board of Guardians, superintendent registrar, and one of the coroners for the county. Mr. Sworder has also succeeded Mr. Longmore in the office of clerk to the borough magistrates.

Societies.

LAW STUDENTS' DEBATING SOCIETY.

At the meeting of this society, held at the Law Institution on Tuesday last, Mr. Mills in the chair, the question for discussion was as follows:—"Can a post-nuptial settlement, expressly made in consideration and pursuance of an ante-nuptial parol agreement, be supported as against a subsequent purchaser for value with notice?" Mr. Stevens opened the debate in the affirmative, and was followed by Mr. Green in the negative. The following members then addressed the society:—Mr. Cooper, Mr. Carr, Mr. Bower, Mr. Ellis, and Mr. Eady, in the negative, and Mr. Garrett and Mr. Montague in the affirmative. Mr. Stevens having replied, the chairman summed up, and the question was decided in the negative by a majority of one vote only.

NATIONAL LIFE ASSURANCE SOCIETY.

The directors report states that "at the end of 1876 a considerable sum of money was lent on deposit at a very low rate. During the past year the whole of this sum has been advantageously invested, as well as some further amounts resulting from sales of stock; so that the invested funds now produce an annual income of £32,828, or at the rate of £4 12s. 11d. per cent. per annum, against £4 7s. 10d. per cent. at the end of 1876, and the gross income of the society, is, notwithstanding a diminution in the premium income, increased to £100,263 per annum. The claims by death in all classes (deducting re-assurance) amounted in 1877 to £48,119 12s. 5d., being nearly £5,000 less than in the previous year, and considerably within the expectation; and the charges of management were less, both actually and relatively to the income, than in 1876.

"It will be remembered that, at the end of 1870, when the present method of dividing the profit was adopted, the payment of commission was discontinued. The result of this change has been carefully watched by the directors, and a committee was appointed last summer to consider the whole question, in the light of more than seven years' experience of the working of the non-commission system: and the result was that a return to the original plan was decided upon.

"The directors look forward with confidence to the future of the society, and they trust that their efforts to enlarge its sphere of usefulness will be seconded by the members generally."

Legal News.

The Lord Chancellor has appointed Dr. W. Rhys Williams to be a commissioner in lunacy, on the resignation of James Wilkes, Esq.; and James Wilkes, Esq., to be an honorary commissioner in lunacy, without salary.

On the 11th inst., in the House of Commons, in reply to Mr. Norwood, the Attorney-General said that he proposed to nominate forthwith the committee on the several County Courts Bills which were referred to a select committee on the 15th of last month.

In the Supreme Court of the United States in a late case, *Union Pacific R. R. v. Stewart* says the *Central Law Journal*, the Chief Justice referred in strong language to the records which come to that court from the circuits. "This," he said, after deciding the questions of law in the appeal, "disposes of the case, but we feel it our duty to call attention to the very unsatisfactory manner in which the record has been made up and sent here for the purposes of this appeal. It contains nearly twelve hundred printed pages, and is full of irrelevant matter and useless repetitions. All that is material for the proper presentation of the cause might easily have been put into one-fourth the space. We have long suffered from the want of attention of parties or their counsel, and the incapacity, not to say dishonesty, of clerks below in matters of this kind."

At the Worcestershire Quarter Sessions this week the following resolution was passed:—"That this court, while abstaining from expressing an opinion on the details of the County Government Bill believes that, if a fair number of representatives of the ratepayers were added to the court and to the various committees acting under the authority of this court for all purposes except the trial of prisoners and the supervision of the gaols and the police, the object of the Bill would be better and more economically attained than by the formation of a new board." It was also resolved, "That this court highly approves the principle of giving the ratepayers a substantial voice in the expenditure of the county rates, to which they contribute. At the same time it strongly objects to allowing mortgaging power to be exercised over the real property of the county without the consent of the magistrates in quarter sessions assembled."

At the Sheffield Police Court on Saturday a young man, named Charles Walker, was charged with having committed wilful damage in the office of Mr. E. Knowles Binns, solicitor, of Sheffield, and also with having used threatening language to Mr. Binns. On the previous day the prisoner went to the offices of Mr. Binns for a hat which he said had been left by a former clerk. He was told that no hat had been left, and he then seized a box of deeds, and said that if he could not have the hat he would have something else. He was asked to step into Mr. Binns' room, and he there threatened Mr. Binns with personal violence. Mr. Binns locked the prisoner in and sent for the police, but before they arrived the prisoner had smashed some furniture, a clock, a picture, and kicked in the door panels. He also destroyed several deeds and law reports. He expressed his regret for what he had done, and was remanded.

A singular case is now under consideration at Dolgelly gaol. A man named William or David Jones was arraigned at the recent Merionethshire assizes on a charge of bigamy, to which he pleaded guilty, and he was sentenced to a term of imprisonment. The woman who swore that he was her husband has since sworn that another man who afterwards turned up is her real husband. The Home Secretary was appealed to, and the following letter has been received by the justices:—"Whitehall, April 4.—Gentlemen,—With reference to the case of David or William Jones, now under sentence of imprisonment in the gaol at Dolgelly, I am directed to acquaint you that, with a view of settling this man's identity, Mr. Secretary Cross is desirous that he should be visited in gaol by certain persons who have been mentioned by the chief constable of Montgomeryshire, and that their testimony as to his identity should be taken by one of your number. Mr. Cross has desired the chief constable to communicate with you on the subject, and to make arrangements with you for bringing these persons to the gaol at some suitable

time when it may be convenient for one or more of your number to meet them, and that you will receive their statements after they have seen the prisoner, and forward them to Mr. Cross with any observations you may desire to offer thereon for his information.—I am, &c., A. F. O. LIDDELL."

The Attorney-General in speaking on the Employers Liability for Injuries to Servants Bill, in the House of Commons, said "It was a hardship that the servants of a corporation or of masters who intrusted the management of their business to others should be unable to obtain compensation for injuries received. Some change in the law in this respect ought to be made. What change the Government would propose he could hardly say. It was very difficult to know exactly what could be done until they came to frame a Bill and to put its provisions into black and white. Certainly they would go to the extent indicated in the report of the committee, which appeared to him a fair and reasonable one. Perhaps it might be necessary to go further. Perhaps they might find it expedient to provide that a master should be responsible for injuries caused by the neglect of servants to whom practically the duties of master were delegated, though here, of course, the difficulty of drawing the line would arise—a difficulty but for which his hon. colleagues and himself might frame a Bill and have it ready by to-morrow morning. To go a step further and make masters responsible for injuries inflicted by anybody who happened to be in a superior position in their service would be unjust, and would almost have the effect of driving them out of the trade in which they happened to be engaged. He could not go that length. But he would certainly go, as he had said, the length of the report, and perhaps somewhat further in the direction he had indicated, and also perhaps in the direction of modifying the meaning of the term "common employment," so as to distinguish between workmen employed in perfectly separate and distinct branches of employment. Moreover, he did not know that the law of contributory negligence was altogether in a satisfactory state. Having stated his views, it only remained for him to say that he would bring in a Bill on the subject. If he might add one word, it would be that he did not think it necessary to make a distinction between railway servants and other servants, and that he hoped to be able to frame a Bill applicable alike to the servants of railway companies, of corporations, and of private individuals."

A POINT UNDER THE ADULTERATION ACT.

At the Bath City Police-court on Monday a publican was summoned for selling adulterated gin to the inspector appointed by the sanitary authority.

Moyer, appeared for the prosecution.

F. S. Clark, for the defence.

The inspector, in cross-examination, admitted that he did not buy it for his own use, but for the purpose of analysis. He bought it with his own money, but was to have been recouped. As far as he was concerned he bought it as a public officer, not as a private individual.

Clark, in addressing the bench on behalf of his client, at first called attention to the phraseology of the Act, and the wording of the summons. The section under which the summons was issued said the article of food was to be sold "to the prejudice" of the purchaser, and the question he raised was whether Mr. Montagu could possibly be prejudiced when he bought the gin for the purpose of getting a case and he got one. He obtained the gin, not for the purpose of consumption, but for analysis. *Clark* then quoted a recent case decided by the High Court of Justiciary of Scotland, where the five judges held that when the purchase was made in a similar way it could not be to the prejudice of the purchaser, and quashed the conviction. He raised a similar contention in this case, and submitted that as one of the public the prosecution by Mr. Montagu would be well founded, but not as a public officer.

The CHAIRMAN remarked that as a public officer he would be much more likely to see justice done. Individuals would not take the trouble themselves.

Clark said that if the proceedings had been taken under the 3rd or 5th section of the Act, which referred to articles injurious to health, the prosecution would be right, but not in the present case. The Legislature had made that reservation. Such was the reading of the Act by the judges in Scotland, if not in this country.

Moyer admitted that the Scotch courts had taken a different view of the Act, but to uphold his contention that such was not the reading of the Act in England, he quoted a recent decision of Mr. Balguy, stipendiary magistrate for Woolwich, who had disallowed the objection, remarking that if such was the case the officer appointed would be altogether useless. He hoped their worship would follow that example.

The CHAIRMAN referred to the Act, and called Mr. Clark's attention to the statement in one of the sections which said the proceedings were to be carried out at the expense of the local authority.

Clark still submitted that the purchase must be shown to be to the prejudice of the purchaser.

The CHAIRMAN: Then what is the use of the officer at all?

Clark: The proceedings might have been taken under another section provided by the Act.

Mr. PAYNE (magistrates' clerk) said, till the recent decision of the High Court of Justiciary in Scotland, which was a court of some weight, he was against Mr. Clark. Counsel in England had not thought the point arguable, or sufficient to stop any proceedings. It was, in his opinion, however, a very strong point, and, after certain communications had been made to the Home Secretary respecting it, he had left the matter to be argued out.

Clark said he felt the point to be a strong one, and if the bench decided against him, he should ask them to grant a case.

The Magistrates then retired for a few minutes, and, on returning, the CHAIRMAN informed Mr. Clark that they had overruled his objection, but upon his application consented to grant a case for a superior court.

High Court of Justice.

CHANCERY DIVISION.

(Before the MASTER OF THE ROLLS.)

April 12.—*Sprunt v. Pugh*.

This was a most unfortunate case. It was a motion by the plaintiffs in this suit, commenced more than sixteen years ago, that the late receiver, a Mr. John Alexander M'Laren, might be ordered to pay into court a sum of £700, with interest, alleged to be due from him under the following circumstances:—The suit was instituted for the administration of the estate of the late James Sprunt, and by an order on further consideration made on the 19th of November, 1862, a receiver was ordered to be appointed, and he was, among other things, ordered to get in a sum of £700 due and owing from James Sprunt, the testator's son, on the security of two promissory notes. In April, 1863, Mr. M'Laren was appointed receiver of the outstanding personal estate by an order which recited the order of the 19th of November, 1862; and he was also appointed receiver of some leasehold property, and he entered into the usual recognizances. On the 30th of June, 1863, Mr. Sprunt, jun., duly paid the £700 to Mr. Frederick Moojen, who was acting as solicitor for the receiver and for both the plaintiff and defendants, and through whose instrumentality Mr. M'Laren had been appointed. Mr. Moojen, on this payment being made, gave Mr. Sprunt receipts for the amount signed by him as solicitor for the receiver. The receiver was ordered in the usual way to pass his accounts every year, and to pay the balances from time to time due; but no account was brought in until 1872, when those for the four years, 1863, to 1867, were carried in together. The sum of £700 was not mentioned in any of these or the subsequent accounts, and had never been paid into court. A change of solicitors had recently been made, and in consequence of the investigations that arose, motions were made that Mr. M'Laren should pay the sum of £700 and other balances due on his receiver's accounts into court; but on its coming out that these sums had never, in fact, reached the receiver's hands, further motions were made that Mr. Moojen should pay the same. As the result of the latter motions Mr. Moojen has, in fact, paid a sum of £1,100 into court, and on the 8th of March he gave an undertaking to pay the £700, with interest, into court within a month. This, however, Mr. Moojen had not done, and the Master of the Rolls directed he should be attached for his contempt. The further

motion now came on, that Mr. M'Laren should pay the £700 into court.

Chitty, Q.C., and *Everitt*, appeared for the plaintiffs. *Dowry, Q.C.*, and *Cary*, for Mr. Frederick Mojen. *Roxburgh, Q.C.*, and *Daniel Jones*, for Mr. M'Laren. *Stephens*, and *Fellows*, for other parties.

The MASTER OF THE ROLLS was glad to say this was an exceptional case, as otherwise it must lead to an alteration of the rule as to one solicitor representing all parties. He had generally found the rule act very well, and to be a great saving of time, trouble, and costs. A misapplication of this sort might, no doubt, occur in any case where one solicitor acted for all parties, but still he should be sorry, on account of the defalcation of some few dishonest or stupid persons, to interfere with a rule that had hitherto worked fairly well. [After stating the facts of the case, his lordship continued: —] Mr. M'Laren's defence was that he forgot all about the order appointing him receiver of the personal estate, but he ought to have inquired what his duties were, and he could not allow him now to say that he did not know of his appointment or of the terms. Whether he did or did not, was, however, quite immaterial, as he was clearly liable for this wilful default, and it was no answer to say that he had trusted to his solicitor. A man was responsible for the acts of his agent, and he must take care to select responsible persons as such. Mr. M'Laren also alleged that on the last three accounts that had been furnished by him as receiver a large balance appeared to be due to him, and therefore that the master should stand over till the accounts were finally settled. In a few days, however, a large surcharge would be payable on the first and second accounts, and it was not probable that the others would be more accurate, and it would not, therefore, be safe to assume that any balance would be due to the receiver. Another appeal had been made to him, as it were *ad misericordiam*, by Mr. Roxburgh that, although legally, still Mr. M'Laren was not morally, bound to repay this money, and that he was in very ill-health. Now, all that was very true, and he was, of course, very sorry to make an order against a man who had never received the money, but a man must be responsible for his acts, and he could not help remarking that it appeared scarcely a very business-like transaction on Mr. M'Laren's part, and it was not for conduct like this that receivers were so well paid as they generally were. He must order Mr. M'Laren to pay into court the sum of £700 with interest within fourteen days, and he must pay the costs of the application. The plaintiffs would also have an order for the costs against Mr. Mojen, who was of course primarily liable for the default.

—*T. B. A.*

COMMON PLEAS DIVISION.

(Before *LINDELEY* and *LOPES, J.J.*)

April 16.—*In re Nepean, a Solicitor.*

Murray, some time ago, obtained a rule on behalf of the Incorporated Law Society, calling upon this solicitor to show cause why he should not answer the matters in the affidavit or be struck off the roll. The circumstances were stated to be that a firm of London solicitors sent to Mr. Nepean a writ for a debt of £28, to be served upon a gentleman near Exeter. The writ was not served, the debtor having gone abroad, but his wife, it was said, had paid on account £5 and £5 10s., which sums had not been remitted to the solicitors in London.

Murray said that Mr. Nepean did not appear, but he had written a letter to the secretary of the Incorporated Law Society, in which he said that illness and inability to employ counsel prevented his appearing in court. He said that he had received £5 from the lady to do the best he could for her, and she informed him that she would pay the debt and costs. The debt being really hers, she said she would settle it out of her private property. He added that he had been engaged for her in other business, so that he did not consider himself over-paid by having £5. He denied that he had received £5 10s. in addition to the £5.

LINDELEY, J., thought the reason given by Mr. Nepean was not so satisfactory as was desirable; but the difficulty in dealing with the matter was increased by the solicitor not appearing. It was impossible to say that he had not been guilty of an offence; and serious notice ought to be taken of it. On the other hand, it was desirable not to

do more than was necessary to vindicate the inviolability of the relationship between solicitor and client. Considering Mr. Nepean's letter, he was not disposed to go the length of striking him off the roll; but he thought that he ought to be suspended for twelve months and pay the costs of the rule.—*Daily Telegraph*.

EXCHEQUER DIVISION.

(Before *HUDDLESTON, B.*, and *MANISTY, J.J.*)

April 15.—*In re A. Solicitor.*

Bingham applied to their lordships for an order to compel a solicitor to credit his client with £70, or in the alternative to pay that sum over to his client, upon the ground that the money had been paid with his client's authority to the clerk of the solicitor, who had, however, refused to account for it.

Humphreys, on behalf of the solicitor, submitted the court had no power to make either order, and that the applicant should obtain his remedy by the ordinary process at common law.

HUDDLESTON, B., asked whether the clerk had made an affidavit.

Humphreys was sorry to say the clerk had been convicted of perjury, and was undergoing his sentence.

HUDDLESTON, B., said the solicitor should clearly be held liable for the acts of his clerk. The solicitor in the present case had left the whole conduct of the applicant's affairs to his clerk, and although the solicitor had received notice of the grievance in October, and the clerk had been convicted of perjury in December, yet no steps had been taken by the solicitor in the matter during the interval.

Humphreys asked that at least their lordships would not make a summary order, but would allow his client to defend at common law, and obtain the verdict of a jury upon the subject.

HUDDLESTON, B., said the court would order the solicitor to pay over the sum of £70, unless the applicant was credited with the amount in the cash account within a week.—*Daily Telegraph*.

County Courts.

LEEDS.

(Before Mr. Serjeant TINDAL ATKINSON, Judge.)

March 11.—*White v. Sword.*

Master and servant—Sufficiency of notice to determine contract of service.

In giving judgment, his HONOUR said—Although the sum sought to be recovered in this case is small (6s.), the question raised by it is one of considerable importance to the parties, not only on account of the number of cases which depend upon its decision, but whether the contract of service between the plaintiff and defendant has been determined by a sufficient notice. The facts are few, and very simple. The plaintiff was, up to January of the present year, in the employ of the defendant as a "glass bottle hand;" the terms of the service being, wages 33s. a week, a week's notice on either side to end the employment. On the 5th of January of this year the defendant posted up the following notice, of which the plaintiff, it is admitted, had knowledge:—"Notice.—From and after a week from this date a general reduction will be made in the wages of all bottle hands of 3s. per week, and a proportionate reduction will be made on all other hands employed on these works." This was followed by a printed notice being given to the plaintiff by the defendant:—"Take notice that, pursuant to the notice already posted up at the works, your wages will be reduced by the sum of 3s. a week from and after the 12th day of January inst.; and take further notice, that if you object to the above reduction, you can cease your employment by giving one week's notice of your intention, and in default of such notice it will be considered that you consent to such reduction." On this printed form being given to the plaintiff he returned it, saying that he did not look upon it as a legal notice to leave the service, and he continued to work during that week and the week following, that is, from the 12th to the 26th of January, for

which 30s. a week was only paid, leaving the difference, 6s., the sum now sued for. The question is, did the above notice put an end to the old contract of service, and if so, was there a new contract upon the same terms as the former one, differing only as to the amount of wages to be paid? It is contended on the part of the plaintiff that the contract of service in this case could only be put an end to by a distinct intimation by either of the parties to determine it by a week's notice. On the other side it is urged that the notice of the 5th of January, which was posted up in the works, and which admittedly came to the knowledge of the plaintiff, although it does not in terms give notice, that unless the reduction is submitted to, the plaintiff is to receive it as equivalent to a notice to leave the employment, yet it must by reasonable intendment be understood to have that effect. It appears to me that, so far as this notice is concerned, it is confined to an intimation that a general reduction of wages will be made, but contains no notice, except by inference, of any express intention, if the reduction is not accepted by the plaintiff, of determining the service. The printed notice of the 11th of January, which was served upon the plaintiff, and objected to by him, is, in my view, defective, inasmuch as it offers an alternative to the plaintiff either to accept the reduction or to give a week's notice to determine the contract of service. Had the notice stated that unless the plaintiff consented to the proposed reduction, he must take it as a week's notice from the defendant to leave his service, no question could have arisen in this case. In questions between landlord and tenant the notice to quit must be positive and explicit. In the case of *Doe v. Jackson* (1 Douglas, 175), a "notice to quit or I shall insist upon double rent was held good," because the latter part of the notice referred only to a penalty under the statute; but Lord Mansfield, in giving judgment, said, "If the notice had really contained the option of a new agreement and said, for instance, 'or else that you agree to pay double rent,' in that case I am of opinion that the notice would not have been good." In the present case the second notice, on which the defendant relies, contains no notice on his part that the service is to be determined unless the reduction is accepted, but merely offers him an option to accept the reduced wages or give notice to leave. The case of *Roberts v. Haywood* (3 Carriington and Payne, 432), would have been strongly in the defendant's favour, but for the fact that he has not given the plaintiff a distinct notice to leave. In the case cited a notice was given by the landlord to his tenant to quit; then if you continue to occupy after such a day you will be considered by me as agreeing to pay the additional rent (£50 instead of £45 per annum). Best, C.J., said "the tenant's silence on the subject is tantamount to his saying I will continue on the terms of your proposition." Had the defendant given to the plaintiff an explicit notice to leave the service unless the reduction was acceded to, I should have held these authorities binding upon me and given judgment in his favour, but holding on the facts that the contract for service was not determined by the notices of the 5th and 11th of January, there must be a verdict for the plaintiff. I think it right, as there is a considerable number of cases pending in the courts of this district, which must necessarily be governed by this decision, to give the defendant leave to appeal.

Judgment for the plaintiff.
Clegg, Sheffield, for the plaintiff.
Gane, barrister, for the defendant.

Legislation of the Week.

HOUSE OF LORDS.

APRIL 11.—BILLS READ A SECOND TIME.
PRIVATE BILLS.—Shrewsbury Gas, Cannock Chase Railway Extension, and Cleveland Extension Mineral Railway.

BILLS READ A THIRD TIME.

PRIVATE BILLS.—Draperton Railway, Newent Railway, Ross and Ledbury Railway, and London and St. Katharine Docks.

BILL READ A FIRST TIME.

RAILWAY RETURNS. (CONTINUOUS BRAKE.) (Lord Hen-

thorpe.)

BILLS READ A SECOND TIME.

PRIVATE BILLS.—Dalton-in-Furness Local Board, South Hants Water, and the East Grinstead Gas and Water.

BILLS OF EXCHANGE (ACCEPTANCE).

BILLS READ A THIRD TIME.

PRIVATE BILLS.—Warrington Water, Leicester Corporation, Legal and General Life Assurance Society, Charnwood Forest Railway (Deviations, &c.), Somerset and Dorset Railway, and the Torquay Gas.

BILLS PASSED THROUGH COMMITTEE.
FACTORIES AND WORKSHOPS. LOCAL GOVERNMENT PROVISIONAL ORDERS (BRISTOL, &c.).

BILLS READ A SECOND TIME.

PRIVATE BILLS.—London, Brighton, and South Coast Railway (Croydon, Oxted, and East Grinstead Railways), Cockermouth and Workington Water, Nettlebridge Valley Railway, and Nottingham Water.

MEDICAL ACT AMENDMENT. RAILWAY RETURNS (CONTINUOUS BRAKE).

BILLS READ A THIRD TIME.

PRIVATE BILLS.—Trowbridge Water, Cannock Chase Railway Extension, Shrewsbury Gas, and Cleveland Extension Mineral Railway.

LOCAL GOVERNMENT PROVISIONAL ORDERS (BRISTOL, &c.).
BILLS OF EXCHANGE (ACCEPTANCE).

APRIL 16.—ROYAL COMMISSION.

The Royal Assent was given by commission to the following Bills:—Mutiny Act and Marine Mutiny Act, Thrashing Machines Act, Bills of Exchange Act, Local Government Board Provisional Orders Confirmation (Bristol, &c.) Act, Hartlepool Gas and Water Act, Brading Harbour District Gas Act, Deal Water Act, Serle-street and Cook's-court Improvement Act, Swindon, Marlborough, and Andover Railway Act, Sevenoaks Waterworks Act, Bala and Festiniog Railway Act, Dublin Corporation Waterworks Act Amendment Act, Imperial Continental Gas Association Act, Farnworth and Kearsley Gas Act, Exeter Chapel of St. John's Hospital Act, Newent Railway Act, Ross and Ledbury Railway Act, London and St. Katharine's Docks Act, Legal and General Life Assurance Societies Act, Charnwood Forest Railway Act, Somerset and Dorset Railway (Nettlebridge Branch Railway Abandonment) Act, Torquay Gas Act, Batley Corporation Waterworks Act, Isle of Wight (Newport Junction) Railway Act, St. James's Gate Brewery (Dublin) Tramways Act, Manchester, Sheffield, and Lincolnshire Railway Act, West Lancashire Railway (Steam Vessels) Act, Wiggenhall St. Mary Magdalene Drainage Act, Cannock Chase Railway (Extension) Amendment Act, Shrewsbury Gas Act, Cleveland Mineral Railway Act, and East Norfolk Railway Act.

BILLS READ A SECOND TIME.

PRIVATE BILLS.—Rhondda Valley and Hirwain Junction Railway and the Tivro Water.

BILLS READ A THIRD TIME.

PRIVATE BILLS.—Lichfield Gas, Marke and Saltburn Gas.

HOUSE OF COMMONS.

APRIL 11.—BILLS READ A THIRD TIME.

PRIVATE BILLS.—Conway Bridge, Great Western Railway, Isle of Wight (Newport Junction) Railway, Lea Bridge District Gas, Limerick Corporation Gas, London and North-Western Railway (Wortley to Leeds, &c.), Midland Railway, Saint James's Gate Brewery (Dublin) Tramways, Westhoughton Local Board, West Lancashire Railway (Steam Vessels), and Wiggenhall St. Mary Magdalene Drainage.

BILLS READ A SECOND TIME.

CUSTOMS AND INLAND REVENUE. FRESHWATER FISH PROTECTION (referred to select committee).

APRIL 12.—BILLS READ A THIRD TIME.

PRIVATE BILLS.—Bailey Corporation Water, Pegwell Bay Reclamation.

BILLS READ A SECOND TIME.

PUBLIC WORKS LOANS. HIGHWAYS.

BILLS READ A THIRD TIME.

PRIVATE BILLS.—Cardiff Water, and Newbury Borough Extension.

BILLS PASSED THROUGH COMMITTEE.
CUSTOMS AND INLAND REVENUE. PUBLIC WORKS LOANS.

BILLS READ A SECOND TIME.
ADULTERATION OF SEEDS ACT AMENDMENT.

BILL READ A FIRST TIME.

BURIAL LAW AMENDMENT.—To amend the law of burial
(Mr. Balfour.)

APRIL 16.—BILL READ A THIRD TIME.
PUBLIC WORKS LOANS.

FORGING DEEDS.

On the 11th inst., at the Central Criminal Court, Edward Downs, accountant, pleaded guilty to a number of indictments charging him with forging deeds. (The examination of the prisoner before the magistrate is reported *ante*, p. 416.)

Poland, and *Douglas Straight*, represented the Treasury.
Beasley appeared for the prisoner.

Poland said the prisoner by means of forged deeds had obtained something like £39,140. The signatures of the directors of the British Land Company had been most skilfully copied, and as regarded the stamp of that company, so perfectly had it been forged, that when one of the documents so stamped was presented to one of the clerks of the company he passed it as genuine. Some of the persons defrauded could undoubtedly afford to lose their money, but others could not, and in one instance at least two persons had been reduced almost to poverty. It was believed by the prosecution that the frauds were concocted by the prisoner and him alone. He had undoubtedly speculated upon the Stock Exchange, where he had lost £25,000 of the money, and in promoting public companies he had lost the remaining £14,000. Altogether he had forged thirty-five deeds.

Beasley urged that the prisoner, who was a self-educated man, had borne an unblemished character until seized by that demon, speculation. The seals made use of in these forgeries were not made for him, but were handed to him by a man who committed suicide shortly afterwards, and who, whether he used them or not, repaid a large amount of money prior to his death. Considering the whole of the circumstances, he (Mr. Beasley) thought his lordship would be of opinion that it was one of the most melancholy cases which could come before his lordship.

Prisoner said he was profoundly sorry for the misery he had caused.

The RECORDER said, as an educated man, the prisoner must have known the widespread misery he was inflicting, and if found guilty what would be the penalty of such an offence. In a recent case a term of penal servitude for life had been passed. The two cases were slightly different; in this the prisoner was not, as was the convict in that case, the fiduciary. Having consulted Mr. Baron Huddleston, and knowing that in a commercial city like London, where millions of money were invested every year upon documents only upon the belief that they were genuine instruments, nothing could be more disastrous than to shake public confidence in commercial and property transactions, the prisoner must be kept in penal servitude for twenty years.

A representative meeting was held on April 9, at the Guildhall Tavern, called by the Building Societies Protection Association, to consider, in view of the recent exposure of frauds by forged and duplicate deeds, the desirability of compulsory registration of transactions in houses and land. Mr. F. M. Whittingham, the secretary, read the notice summoning the meeting, and, in the absence of Mr. Torrens, M.P., Mr. James Higham, of the Fourth City Building Society, took the chair.

The CHAIRMAN said the startling revelations of forgeries which had recently been made were sufficient explanation of the assembly. The question of a record of dealings in land must engage the attention of legal gentlemen, and ultimately become a national question. It certainly claimed the attention of building societies, hence the representative gentlemen present. A system of registration existed in Middlesex and Yorkshire, but not elsewhere. The question to be considered was whether the time had not arrived for improving and extending that system, or some other.

The Roupell forgeries twenty years ago drew attention to the subject; the recent Dimsdale forgeries indicated the persistent way in which duplicate deeds might be used with success, one pair of houses being represented in thirty deeds. The Downs case had immediately after afforded another revelation of large frauds by forged deeds. There was very great need for some security against such impositions. Many thought the registration in Middlesex and Yorkshire imperfect and expensive. These frauds had opened people's eyes, and they had come together to discuss whether it was well to extend registration, and, if so, to devise an effectual but inexpensive mode of doing it. There was a great difference between registration of titles and registration of transactions in property. The latter alone would stop such frauds as those to which Downs had pleaded guilty. Registration of a title costing £30 or £40 could not be compulsory. Building societies could be protected by a much simpler and less expensive system. The chairman read some important letters from solicitors in the provinces, and a letter from Ireland, alluding to the registration of deeds there, not of titles. It was the registration of transactions, said the chairman, that the building societies appeared to want, so that their members, and trustees of all similar funds, might be protected as far as possible from imposition and fraud, but the association was most desirous of approaching the subject in a spirit of inquiry.

Mr. BINYON, believing that the subject claimed the attention of the Government, moved the following resolution:—"That, considering the cases of forgeries of deeds relating to properties in non-register counties that have occasionally come before the public during the last twenty years, this meeting is of opinion that it is desirable that a general system of registration of all dealings with houses and land throughout the country should be established." He thought it was time to direct public attention to the growing danger of losses from clever robbery of the kind which had come to light, but that the association should not pledge itself to a plan until after the fullest inquiry.

Mr. STANESBY, in seconding the resolution, did not expect that more could be done than throw difficulties in the way of rogues. The Middlesex system was very imperfect; it did not apply to London, yet it appeared with all its faults to have sent the fraudulent elsewhere. Roupell operated in Surrey, Dimsdale in Surrey, Kent, and Berkshire, and Downs just outside Middlesex. There were strong objections to the Middlesex system, but still the rogues slyly avoided it. Why was the system confined to Middlesex? If it was good it should be extended; if not, it should go. It was far from being solely a building societies' question, yet they were peculiarly exposed. A rogue could not sell his land to several persons, because the dispute of possession quickly came up, but he could wrongfully mortgage the same property to several persons without it being possible to detect it. The mortgagees could not make all the inquiries he would like oftentimes. An inquiry under Government would, he thought, lead to a brief record of all dead transactions in houses and land.

Mr. B. JONES informed the meeting that already Mr. Sheridan, M.P., had taken steps to bring the matter forward, and the chairman intimated that Mr. Osborne Morgan had given notice in the House of Commons for a select committee.

Mr. LEAROYD was sure that the question required very much consideration before any definite system could be determined upon. He had acted as chairman of the committee of investigation of the Dimsdale forgeries. It was not merely a registration of leases, as a previous speaker had suggested, that was wanted. In Yorkshire that would be of little use as there was not much leasehold property. The registration, as in Middlesex, he pronounced a great evil. In Yorkshire there was an index, and though it was not legal proof, he had never known the index to fail; in Middlesex there was no index, a search of weeks often left much uncertainty. The Incorporated Law Society ought to take the matter up, but if they would not, somebody else must. He was glad that the building societies were taking the lead. It was a great hardship that leases had to be accepted without the investigation of the lessor's title. He looked eagerly for a select committee.

Mr. BALL, of Messrs. Watson & Sons (solicitors), thought Middlesex registration worse than none at all, to which one

or two gentlemen replied that it at least appeared to frighten the fraudulent.

Mr. SHAEN (solicitor of the Temperance Building Society) said thirty years ago he was frequently engaged upon this very inquiry. He had a very distinct opinion that the registration of deeds was worthless, but the registration of titles, by selling land as the public funds are sold, would, he thought, be quite feasible and inexpensive. It would, of course, deprive the profession of a vast amount of conveyancing. As to the York system, he knew that Yorkshire lawyers defended it, but he never knew a Middlesex solicitor defend the system of their county. Lord Westbury spoilt his last Bill by attempting to be too clever in dealing with it. The last Act was only permissive. If registration was not compulsory it would be slow; if compulsory, it would be called un-English. He was afraid it would take a great deal to make the public swallow compulsory registration of transactions, we all so like to do what we like with our own, but he believed it must come.

The resolution was carried unanimously, and a second resolution, as follows, appointing a deputation to seek an interview with the Home Secretary in the hope that the Government would take the matter up:—"That a deputation consisting of the committee of this association—Messrs. Shaen, Learoyd, Jones, Shaw, Watson, Bristow, Fowkes, J. B. Smith, and Ingle—with power to add to their number, with such members of Parliament as may be disposed to assist, be appointed to urge the Government to introduce a Bill to effect the object set forth in the previous resolution."

Court Papers.

SUPREME COURT OF JUDICATURE.

EASTER Sittings, 1878.

COURT OF APPEAL.

At Lincoln's-inn and Westminster.

Tues., April 30	{ App. motns. ex pte, apps. from orders made on interlocutory motns. & other apps.
Wed., May 1	Appeals.
Thurs. 2	Bkcy. apps. & or. apps.
Friday 3	
Saturday 4	Appeals.
Monday 6	
Tuesday 7	
Wednesday.. 8	{ App. motns. ex pte, apps. from orders made on interlocutory motns. & other apps.
Thursday .. 9	Bkcy. apps. & other apps.
Friday 10	
Saturday 11	Appeals.
Monday 13	
Tuesday 14	
Wednesday 15	{ App. motns. ex pte, apps. from orders made on interlocutory motns. & other apps.
Thursday .. 16	Bkcy. apps. & or. apps.
Friday 17	
Saturday 18	Appeals.
Monday 20	
Tuesday 21	

Wednesday. 22	{ App. motns. ex pte, apps. from orders made on interlocutory motns. & or apps.
Thursday .. 23	Bkcy. apps. & or apps.
Friday 24	
Saturday .. 25	
Monday 27	Appeals.
Tuesday.... 28	
Wednesday.. 29	{ App. motns. ex pte, apps. from orders made on interlocutory motns. & other apps.
Thursday .. 30	Bkcy. apps. & or. apps.
Friday 31	
Saturday, June 1	Appeals.
Monday 3	
Tuesday.... 4	
Wednesday.. 5	{ App. motns. ex pte, apps. from orders made on interlocutory motns. & other apps.
Thursday .. 6	Bkcy. apps. and or apps.
Friday 7	Appeals.
Saturday 8	N.B.—Lunacy petitions will be taken every Saturday during the Sittings.

HIGH COURT OF JUSTICE.

CHANCERY DIVISION.

MASTER OF THE ROLLS.
At the Rolls House.

Tues., April 30	{ Sitting with Ct. of App
Wed., May 1	Motns. & gen. pa.
Thursday 2	General paper.
Friday 3	
Saturday .. 4	{ Pets. sh. causes, adj. sums., and gen. pa.
Monday .. 6	
Tuesday 7	General paper.
Wednesday.. 8	
Thursday 9	

Friday 10	{ Motns. adj. sums. & gen. pa.
Sat. 11	{ Pets. sh. causes, adj. sums. & gen. pa.
Monday 13	
Tuesday.... 14	General paper.
Wednesday.. 15	
Thursday .. 16	
Friday 17	{ motions. adj. sums., & gen. pa.
Saturday .. 18	Pets. sh. causes, adj. sums., and gen. pa.
Sat. 19	

Mon., ... 20	General paper.
Tuesday.... 21	
Wednesday.. 22	{ Motns. adj. sums., & gen. pa.
Thursday .. 23	Pets. sh. causes, adj. sums., and gen. pa.
Friday 24	
Saturday .. 25	General paper.
Thursday .. 30	
Friday 31	
Saturday .. 1	
Monday .. 3	
Tuesday.... 4	
Wednesday.. 5	
Thursday .. 6	
Friday 7	
Saturday .. 8	
Sat. 9	

Mon., ... 20	Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard, and the necessary papers must be left in court with the judge's officer the day before the cause is to be put into the paper.
TuesdayAp.30	{ Motns. adj. sums. & gen. pa.
Weds., May 1	
Thurs. 2	General paper.
Friday 3	
Saturday .. 4	{ Pets. sh. caus. & gen. pa.
Monday 6	in Bankruptcy.
Tuesday .. 7	General paper.
Wednesday 8	
Thurs. 9	{ Motns. adj. sums. & gen. pa.
Friday 10	General paper.
Sat. 11	{ Pets. sh. causes, & gen. pa.
Monday .. 13	in Bankruptcy.
Tuesday.... 14	General paper.
Wednesday 15	
Thur. 16	{ Motns. adj. sums. & gen. pa.
Friday 17	General paper.
Saturday .. 18	{ & gen. pa.
Monday 20	in Bankruptcy.
Tuesday.... 21	General paper.
Wednesday 22	
Thur. 23	{ Motns. adj. sums. & gen. pa.
Friday 24	General paper.
Saturday .. 25	{ Motns. adj. caus. & gen. pa.
Monday 27	in Bankruptcy.
Tuesday.... 28	General paper.
Wednesday 29	
Thur. 30	{ Motns. adj. sums. & gen. pa.
Friday 31	General paper.
Satur. June 1	{ Motns. adj. caus. & gen. pa.
Monday 3	in Bankruptcy.
Tuesday.... 4	General paper.
Wednesday 5	
Thur. 6	{ motns. a. J. sums. & gen. pa.
Friday 7	{ Motns. sh. caus. & gen. pa.
Saturday .. 8	Further Considerations will be taken as part of the General Paper, in priority to Original Causes which have not already appeared in the paper.
Monday .. 10	Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard, and the necessary papers must be left in court with the judge's officer the day before the cause is to be put into the paper.
Tuesday.... 11	Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard, and the necessary papers must be left in court with the judge's officer the day before the cause is to be put into the paper.
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Tuesday.... 17	
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Tuesday.... 2	
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Thursday .. 30. Mot. & gen. pa.
Friday..... 31. Petns. & gen. pa.
Saturday Junel 1. Sht. caus., adj.
sums. & gen. pa.
Monday 3 } General paper.
Tuesday.... 4 } General paper.
Wednesday.. 5 }
Thursday .. 6. Mts. & gen. pa.
Friday..... 7 } Pets., short caus.
& gen. pa.

Further Considerations will be taken as part of the General Paper in priority to Original Causes which have not already appeared in the Paper. Any cause intended to be heard as a Short Cause must be so marked in the Cause Book at least one clear day before the same can be put in the paper to be so heard, and the necessary papers must be left in court with the judge's officer the day before the cause is to be put into the paper.

Ms. JUSTICE FRY.
At Lincoln's-inn.
Tuesday Apr 30
wed. May 1 } General paper.
Thursday .. 2 }
Friday 3 }
Saturday .. 4 }

Monday 6 } General paper.
Wednesday.. 8 } General paper.
Thursday .. 9 } General paper.
Friday 10 } General paper.
Saturday.... 11 } General paper.
Monday 13 } General paper.
Tuesday.... 14 } General paper.
Wednesday.. 15 } General paper.
Thursday .. 16 } General paper.
Friday 17 } General paper.
Saturday.... 18 } General paper.
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Tuesday.... 21 } General paper.
Wednesday.. 22 } General paper.
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Friday.... 24 } General paper.
Saturday.... 25 } General paper.
Monday.... 27 } General paper.
Tuesday.... 28 } General paper.
Wednesday.. 29 } General paper.
Thursday .. 30 } General paper.
Friday.... 31 } General paper.
Saturday, June 1 } General paper.
Monday 3 } General paper.
Tuesday.... 4 } General paper.
Wednesday.. 5 } General paper.
Thursday.... 6 } General paper.
Friday..... 7 }

NOTICE.

Easter Vacation, 1878.

There will be no sitting in court in the Easter Vacation. During the Vacation.—All applications which may require to be immediately or promptly heard, are to be made to the Hon. Mr. Justice Lopes, or the Hon. Mr. Justice Fry.

Applications for leave to give notice of motion, may be made at the chambers of the Master of the Rolls.

In any case of great urgency the brief of counsel may be sent to the vacation judge for the time being acting in the Chancery Division by book-post, or parcel, prepaid, accompanied by office copies of the affidavits in support of the application, and also by a minute, on a separate sheet of paper, signed by counsel, of the order he may consider the applicant entitled to, and an envelope capable of receiving the papers, and addressed as follows:—“Chancery Official Letter: To the Registrar in Vacation, Chancery Registrars’ Office, Chancery-lane, London, W.C.”

On applications for injunctions or writs of *ne cessat regno*, in addition to the above, there must also be sent the original writ, or a copy of it with the endorsements thereon, a copy of the statement of claim (if any), and, if the original writ is not sent, a certificate that it has been issued.

The papers sent to the vacation judge will be returned to the registrar.

The address of the judge for the time being acting as vacation judge in the Chancery Division, can be obtained on application at the Chancery Registrars’ Office, or at the chambers of the Master of the Rolls, Rolls-yard, Chancery-lane.

The chambers of the Master of the Rolls will be open on Saturday, April 20th, from 11 till 1.

On Good Friday, and on Monday and Tuesday in Easter week, the judges’ chambers and chancery offices will not be open. Order 61, rule 4.

Chancery Registrars’ Office,
April 12th, 1878.

SALES OF ENSUING WEEK.

April 26.—MR. ROBINS, at the Mart, freehold properties and ground-rents (see advertisement, p. 4, this week).

PUBLIC COMPANIES.

April 17, 1878.

INDIAN GOVERNMENT SECURITIES.

Ind. Six.5 per Cent., July, '69, 1031
Ditto for Account, —
Ditto 4 per Cent., Oct. '68, 1069
Ditto, ditto, Certificates —
Ditto Enforced Pts., 4 per Cent., 82
Ind. Six.5 per Cent., Jan.'72

Ex. Pr. 5 per Cent., May, '99
Ditto Debentures, 4 per Cent.,
April, '64
Do. Do. 5 per Cent., Aug. '75
Do. Bonds, 4 per Cent. £1000
Ditto, ditto, under £1000

GOVERNMENT FUNDS.

3 per Cent. Consols, 95
Ditto for Account, May 3, 95
Do. 3 per Cent. Reduced, 93
New 3 per Cent., 93
Do. 3 per Cent., Jan. '94
Do. 24 per Cent., Jan. '94
Do. 6 per Cent., Jan. '78
Annuities, Jan. '86

Annuities, April, '85, 93
Do. (Red Sea T.) Aug. 1868
Ex. Bills, £1000, 24 per Ct. 7 pm.
Ditto, £800, Do, 7 pm.
Bank of England Stock, 254
Ditto for Account.

RAILWAY STOCK.

	Railways.	Paid.	Closing Price.
Stock Bristol and Exeter	100	—	
Stock Caledonian	100	114	
Stock Glasgow and South-Western	100	104	
Stock Great Eastern Ordinary Stock	100	48	
Stock Great Northern	100	15	
Stock Do., A Stock	100	114	
Stock Great Southern and Western of Ireland	100	—	
Stock Great Western—Original	100	96	
Stock Lancashire and Yorkshire	100	133	
Stock London, Brighton, and South Coast	100	—	
Stock London, Chatham, and Dover	100	23	
Stock London and North-Western	100	144	
Stock London and South Western	100	135	
Stock Manchester, Sheffield, and Lincoln	100	78	
Stock Metropolitan	100	113	
Stock Do., District	100	57	
Stock Midland	100	124	
Stock North British	100	84	
Stock North Eastern	100	142	
Stock North London	100	145	
Stock North Staffordshire	100	61	
Stock South Devon	100	66	
Stock South-Eastern	100	128	

* A receives no dividend until 6 per cent. has been paid to B.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

CASSERLEY—April 15, at Brighton, the wife of Samuel William Casserley, barrister-at-law, of a son.

MAIDLOW—April 11, at Forest-hill, the wife of John M. Maidlow, of Lincoln's-inn, barrister-at-law, of a son.

PITCAIRN—April 13, at Alperton, the wife of David Pitcairn, of Lincoln's-inn, barrister-at-law, of a son.

DEATHS.

FELLOWS—April 8, at Melbourne, Thomas Howard Fellows, of the Inner Temple, and a Judge of the Supreme Court of Victoria.

RILEY—April 14, at Croydon, Henry Thomas Riley, M.A., Corpus Christi College, Cambridge, barrister-at-law, aged 61.

LONDON GAZETTES.

Winding up of Joint Stock Companies.

FRIDAY, April 12, 1878.

LIMITED IN CHANCERY.

Globe Iron Works, Limited.—Petition for winding up, presented April 8, directed to be heard before V.C. Hall, on May 3. Pritchard and Co., Painters’ Hall, agents for Storer, Manchester, solicitor for the petitioners.

Sanitary Carbon Company, Limited.—Creditors are required on or before May 9, to send their names and addresses, and the particulars of their debts or claims to William Wootton Woodman, Queen Victoria st. Thursday, May 23, at 11, is appointed for hearing and adjudicating upon the debts and claims.

Trades’ Bank, Limited.—Creditors are required on or before May 7, to send their names and addresses, and the particulars of their debts or claims to William Cornish Cooper, King’s Arms yard. Tuesday, May 21, at 11, is appointed for hearing and adjudicating upon the debts and claims.

TUESDAY, April 16, 1878.

LIMITED IN CHANCERY.

Daventry and Northamptonshire Brewery Company, Limited.—The M.R. has fixed Wednesday, April 24, at 1.30, at his chambers, as the time and place for the appointment of an official liquidator.

Great Western Colliery Company, Limited.—By an order made by V.C. Hall, dated April 5, it was ordered that the voluntary winding up of the above company be discontinued. Speechley and Co., New Inn, agents for Danger and Cartwright, Bristol, solicitors for the petitioners.

San Pedro (Chili) Copper Mining Company, Limited.—Petition for winding up, presented April 15, directed to be heard before V.C. Hall, on May 3. Bailey, Tokenhouse yard, solicitor for the petitioners.

Thames Steam Ferry Company, Limited.—Petition for winding up, presented April 12, directed to be heard before V.C. Hall, on May 8. Stebbing, Wallbrook, solicitor for the petitioners.

Victoria Coal and Iron Company (Swansea Vale), Limited.—By an order made by V.C. Bacon, dated April 6, it was ordered that the above company be wound up. Curtis and Bats, South sq., Gray’s Inn, solicitors for the petitioners.

UNLIMITED IN CHANCERY.

FRIDAY, April 12, 1878.

Homford Canal Company.—Petition for winding up, presented April 8, directed to be heard before the M.R. on Saturday, May 4. Manning, Tokenhouse yard, solicitor for the petitioner.

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TUESDAY, April 16, 1878.

Gresham and Netley Railway Company.—By an order made by V.C. Bacon, dated April 6, it was ordered that the above company be wound up. Best and Co., Essex st., Strand, solicitors for the petitioners.

Friendly Societies Dissolved.

FRIDAY, April 19, 1878.

Mechanics Sick and Burial benefit Society, Union Hotel, Torquay, Devon. April 6.
Union Friendly Society, Bishops Castle, Salop. April 9.
United Billiard Markers' Society, New Gwynne, Bell Inn court, Strand. April 9.
Wichenford Friendly Society, Masons' Arms, Wichenford, Worcester. April 9.

TUESDAY, April 16, 1878.

Friendly Society, Cross Keys Inn, Witney, Oxford. April 12.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, April 19, 1878.

Goodchild, Edward, New Shoreham, Sussex, Shipowner. May 20.
Ratcliffe v. Goodchild, M.R. Cripps, Shoreham.
Hodgson, William, Hayton Town Head, Camberwell. May 10.
Hodgson v. Bird, V.C. Malins, Foster, Brampton.
Oliver, John, Chesterfield, Miller. May 10. Hawkins v. Oliver, V.C. Malins, Bunting, Chesterfield.
Ratcliffe, William, Liverpool, Bootmaker. May 7. European Assurance Society v. Ratcliffe, M.R. Martin, Liverpool.
Smith, Eliza Mary, and Thomas Williams, Newport, Monmouth, Newspaper Proprietors. May 9. West v. Stream, Smith v. Stream, M.B. Fox, Newport.
Wardell, John, Denver, Norfolk, Farmer. May 1. Burley v. Harris, M.R.

Bankrupts.

FRIDAY, April 12, 1878.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Bristol, Robert, Dover st., of no occupation. Pet April 8. Brougham, April 30 at 11.

To Surrender in the Country.

Dowse, Robert, Stort, Wilts, Farmer. Pet April 10. Smith, Bath, April 24 at 1.
Mitchell, Henry, Lincoln, Hotel Keeper. Pet April 9. Upplby, Lincoln, April 29 at 11.
Pritchard, John, Frankwell, Shrewsbury, Innkeeper. Pet April 8.
Peel, Shrewsbury, April 24 at 11.
Sumner, William, Birmingham, Miller. Pet April 10. Parry, Birmingham, April 30 at 2.
Watkins, James, Logan, Burton-on-Trent, Painter. Pet April 3.
Hubberley, Burton-on-Trent, May 8 at 1.

TUESDAY, April 16, 1878.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Gruden, Thomas Hutchinson, Highbury place, Highbury. Pet April 12. Keene, May 3 at 12.

To Surrender in the Country.

Blackburn, Thomas, West Hartlepool, Market Gardener. Pet April 12. Ellis, Sunderland, April 29 at 12.
Brook, John Calver, Diss, Norfolk. Pet April 12. Grimsey, Ipswich, April 29 at 12.
Crotton, James, Twickenham, Corn Dealer. Pet April 9. Ruston, Brentford, April 30 at 9.
Eaton, William Knott, Mellis, Suffolk, Farmer. Pet April 12. Grimsey, Ipswich, April 29 at 9.
Green, Edward, Woodlark, Hanwell, of no occupation. Pet April 13. Darville, Windsor, May 4 at 11.
Hawman, William, North End, Bishop Stortford, Schoolmaster. Pet April 13. Spence, Hartford, May 4 at 11.
Nichols, Thomas, Leicester, Licensed Victualler. Pet April 9. Ingram, Leicester, April 25 at 12.
Omler, James, Sunderland, Biscuit. Pet April 4. Ellis, Sunderland, April 30 at 13.
Phillips, Richard, Bettisfield, Flint, Farmer. Pet April 1. Broughton, Nantwich, April 29 at 12.
Pilkup, Edmund, Bacup, Lancashire, Cotton Manufacturer. Pet April 13. Tweedale, Oldham, April 29 at 12.
Snowdon, John Harry, Leeds, Woolen Agent. Pet April 10. Marshall, Leeds, May 8 at 11.
Ward, George, Handsworth, York, Licensed Victualler. Pet April 15.
Wake, Sheffield, April 26 at 1.
Ward, Samuel, Swanson, Cabinet Maker. Pet Feb 26. Jones, Swanson, April 29 at 12.

BANKRUPTCIES ANNULLED.

FRIDAY, April 12, 1878.

Chen, Frederick Samuel, Croxley Hall-chambers, Dealer in Cigars. April 10.
Craufurd, Robert Emilus Farquerley, Dover, Captain R.A. April 11.

TUESDAY, April 16, 1878.

Holmes, Henry, Ascot, Auctioneer. April 15.

Liquidations by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, April 13, 1878.

Abbott, Joseph, New Basford, Nottingham, Book Keeper. April 25 at 11 at offices of Stevenson, Weddall & Sons, Nottingham.
Appleyard, Frederick, Armley, York, Leather Dealer. April 24 at 3 at offices of Pullan, Bank chambers, Park row, Leeds.
Appleyard, Martin, Upper Wortley, York, Dyer. April 26 at 3 at offices of Pullan, Bank chambers, Park row, Leeds.
Arnold, Edward, Winchester, Bird Painter. April 26 at 2 at offices of Adams and Co., Jewry st., Winchester.
Avast, John Holt, Newcastle-under-Lyme, of no business. April 23 at 11 at offices of Bishop, Bank chambers, Hanley.
Baker, James, Gainsborough, York, Stonemason. April 23 at 11 at offices of Thompson, Northbrook buildings, Middleborough.

Balls, John George, Lowestoft, Carter. April 25 at 12 at offices of Seago, High st., Lowestoft.

Barnes, William, Spalding, Bermondsey, Corn Factor. April 25 at 3 at 30, John st., Bedford row, Macarthur.

Barry, Thomas, Brighton, Silk Mercer. April 24 at 12 at offices of Boys and Child, Poultney, St. Thomas, Brighton.

Bates, Edmund, Leeds, Carter. April 24 at 3 at offices of Teale and Appleton, Trinity st., Leeds.

Baxter, George, Birmingham, Lithographic Printer. April 24 at 3 at offices of Jaques, Cherry st., Birmingham.

Best, Robert Stor, Walsingham, Nottingham, Chemical Manure Manufacturer. April 23 at 3 at the Angel Inn, Doncaster, Hind, Gools.

Billingham, Samuel, Mushroom Green, Worcester, Coal Dealer. April 30 at 11 at 194, Wolverhampton st., Dudley. Brettell.

Birrell, William, Ulverston, Leeds, Boot Manufacturer. April 24 at 11 at offices of Ford and Warren, Albion st., Leeds.

Bledzicle, John Smith, Meer Pits, nr Tamworth, Farmer. April 26 at 3 at offices of Nevill and Atkins, Colehill, Tamworth.

Bouton, William, Walter, Westbury, Wilts, Glove Manufacturer. May 1 at 12.30 to be held at his residence in Westbury. Collins, Bath.

Britt, Alfred George, Bristol, Warehouseman. April 26 at 2 at the Queen's Hotel, Birmingham. Salmon, Bristol.

Burrell, William, Staines, Butcher. April 26 at 2 at offices of Engall, Clarence st., Staines.

Butler, Edwin, Folkestone, Builder. April 29 at 2 at the Guildhall Tavern, Gresham st., Harrison, Folkestone.

Butler, James, Ilkeston, Derby, Miner. April 30 at 12 at St. Peter's chambers, St. Peter's gate, Nottingham.

Buttenshaw, Henry, Colchester, Plumber. May 2 at 12 at offices of Paterson and Co., Chancery lane, White, Colchester.

Butterfield, John George, Middlesborough, Draper. April 24 at 11 at offices of Peacock, Zetland rd., Middlesborough.

Carr, William Henry, Sheffield, Beerhouse Keeper. April 26 at 4.30 at offices of Birns, Fig Tree chambers, Sheffield.

Carter, George, Great Portland st., Tobacconist. April 23 at 3 at offices of Wethered, Gresham building.

Charlton, Thomas, Teams, Durham, Beerhouse Keeper. April 23 at 11 at offices of Hopper, Grainger st., Newcastle-upon-Tyne.

Cheshire, Richard, Englesey, Stafford, Innkeeper. April 26 at 12 at offices of Flint and Flint, High st., Uttoxeter.

Collis, Joseph, Bridgwater, Master Mariner. April 26 at 12 at the Grand Hotel, Bristol. Reed and Cook, Bridgwater.

Crosbie, Joseph, Birmingham, Garter. April 26 at 12 at offices of Fallows, Cherry st., Birmingham.

Crossley, Jessie,曼彻斯特, York, Painter. April 24 at 4 at offices of Atkinson, Tyrrell st., Bradford.

Crowter, George, Juxon, Weybridge, Surrey, Contractor. May 7 at 3 at offices of Jenkins, Tavistock st., Strand.

Davies, John, Aberdillery, Mon, Grocer. April 25 at 2 at the Queen's Hotel, Newport. Shepard, Tredgar.

Ditchett, William Edwin, Louth, Lincoln, Surgeon. April 29 at 11 at offices of Lucas and Lucas, Hurton's yard, Mercer row, Louth.

Do man, Henry, Greenwich, Currier. April 24 at 2 at the Lecture Hall, Royal hill, Greenwich, Bristol.

East, Charles, Holloway rd., Livery Stable Keeper. April 25 at 4 at offices of Marshall, Bedford row.

Edkins, George, Aston, nr Birmingham, out of business. April 24 at 10.15 at offices of East, Cherry st., Birmingham.

Elders, Isaac, Bradbury, Durham, Grocer. April 25 at 2 at the Argyle Hotel, Stockton-on-Tees. Chapman, Durham.

Evans, William, Dolgellau, Merioneth, Bootmaker. April 29 at 11 at offices of Jones and Davies, Dolgellau.

Favell, John, Breamore st., Breamore, Gun Stocker. April 20 at 10.15 at offices of East, Cherry st., Birmingham.

Foster, John, Kynnersley, Staffs, Farmer. April 24 at 10 at offices of Cowlishaw, Market place, Uttoxeter.

Gargett, Thomas, Claysgate, Durham, Hosiery. April 24 at 3 at the Rose and Crown Hotel, Market place, Durham. Chapman, Durham.

Gillott, John, Sheffield, Potash Merchant. April 26 at 2 at offices of Biatts, Fig Tree chambers, Sheffield.

Habgood, William, Wolverhampton, General Commission Agent. April 27 at 11 at the Globe Inn, Mount Pleasant, Bilston, Binton.

Hallmand, John, Coxhoe, Durham, Stationer. April 24 at 3 at offices of Chambers, Sadler st., Durham.

Hammard, Josiah, King's rd., Cleeve, Boot Manufacturer. May 1 at 3 at offices of Bernard, White Lion st., Norton Folgate.

Hand, Thomas Clark, Waterton, Northumberland, Boot Dealer. April 26 at 11 at offices of Keaylisside and Foster, Grainger st., Newcastle-upon-Tyne.

Hanson, William, Leeds, Tailor. April 25 at 3 at offices of Pallas, Bank chambers, Park row, Leeds.

Hartley, John, Spennymoor, Durham, Brick Manufacturer. April 24 at 11 at offices of Stedur, Five Bells, Bishop Auckland.

Hayard, German, Broadwater, Worcester, out of business. April 25 at 3.30 at offices of Miller and Co., Church st., Kidderminster.

Havers, Arthur, Reading, Retired Bank Manager. April 25 at 12 at offices of Creed, Forbury, Reading.

Hayes, Michael, Manchester, Leather Dealer. April 30 at 3 at offices of Best, Lower King st., Manchester.

Holiday, Marianne Riston, Maryport, Cumberland, Milliner. April 24 at 3 at the Golden Lion Hotel, Maryport. Tyne and Hobson, Maryport.

Honeywood, George Edward, Eastbourne, Riding Master. April 25 at 11 at offices of Gowland, Lewes place, Sea side rd., Eastbourne. Matthew and Foulds, Eastbourne.

Hope, Alexander, Houghton-le-Spring, Durham, Boot Dealer. April 24 at 11 at offices of Chambers, Sadler st., Durham.

Hughes, John L'oyd, Boffard, Flint, Grocer. April 25 at 3 at the Crown Hotel, Denbigh. Roberts, Denbigh.

Hughes, Samuel, Boghill, nr Holywell, Licensed Victualler. April 24 at 3 at the Queen's Hotel, Chester. Evans, Holywell.

Hutchinson, Harry, Westgate, York, Tobacconist. April 26 at 3 at offices of Berry and Robinson, Charles st., Bradford.

Iader, Byres, Heath, Cardiff, Baker. April 25 at 10 at offices of James, Philharmonic Chambers, St. Mary st., Cardiff.

Jackson, Thomas George, Birmingham, Billiard Room Proprietor. April 24 at 3 at offices of Rowlands and Bagnall, Colmore row, Birmingham.

James, John, Wolverhampton, Tobacconist. April 29 at 3 at offices of Rogerson, Union court, Cook st, Liverpool.

James, Samuel, Tredegar, Glamorgan, Contractor. April 27 at 1 at offices of Simons and Plevs, Church st, Merthyr Tydfil.

Jamison, Alfred, Wimbledon, Surrey, Grocer. May 2 at 2 at offices of Sisters, Guildhall chambers, Basinghall st, Brown, Basinghall st.

Jenner, Charles Thomas, Birmingham, Fish Salesman. April 25 at 11 at offices of Lowe, Temple st, Birmingham.

Johnson, George, Bramham, York, Coach Proprietor. April 23 at 12 at offices of Crumble, Stonegate.

Jones, David, Malvern Wells, Worcester, Ironmonger. April 22 at 2.30 at offices of Thompson and Taylor, Pierpoint st, Worcester.

Jones, Samuel Fallow, Leeds, Hat Manufacturer. April 26 at 2 at the Queen's Hotel, Wellington st, Leeds. Rider.

Lawson, George, Skelton-in-Cleveland, York, Butcher. April 24 at 3 at offices of Draper, Finkle st, Stockton-on-Tees.

Lewis, William Morgan, and George Henry James, Commission Agents, Swansea. April 30 at 12 at offices of Charles, the Parade, Neath.

Leyland, John, Urmiston, Lancashire, Coal Merchant. April 24 at 3 at offices of Edwards, Brazenose st, Manchester.

Lloyd, John, Llanllwchaur, Montgomery, Farmer. April 25 at 11 at offices of Powell, Broad st, Newtown.

Marshall, William, Dunston, Durham, Timber Merchant. April 25 at 2 at offices of Hoyle and Co, Collingwood st, Newcastle-upon-Tyne.

Marston, Joseph, Birmingham, Provision Dealer. April 24 at 3 at offices of Boraston, Ann st, Birmingham.

McDowell, Allan, Wolverhampton, Cow Keeper. April 26 at 3 at offices of Rhodes, Queen st, Wolverhampton.

Morris, William, Over Darwen, Lancashire, Coal Agent. April 23 at 3 at offices of Scott, Victoria st, Blackburn.

Murdock, George, Liverpool, Draper. May 2 at 3 at offices of Nordon and Mason, Victoria st, Liverpool.

Nevinson, William, Gateshead-on-Tyne, Builder. April 25 at 12 at offices of Mather and Co, Mosley st, Newcastle-upon-Tyne.

Newton, Arthur Leslie, Chancery lane, Gent. April 25 at 2 at offices of Newton, Great James st, Bedford row.

Nowood, Edward, East Drayton, Nottingham, Farmer. April 26 at 11 at offices of Marshall and Co, Chapel Gate, East Retford, Nottingham.

Oliver, Joseph, Newport, Mon, Grocer. April 27 at 12.30 at offices of Maddox and Emery, St Mary st, Cardiff. Cousins, Cardiff.

Parker, James, Birmingham, Brass Cockfounder. April 26 at 12 at offices of Southall and Co, Waterloo st, Birmingham.

Peckham, Thomas, Frant, Sussex, Wheelwright. April 25 at 4 at offices of Stone and Simpson, Church rd, Tunbridge Wells.

Phillips, Walter, Ipswich, Baker. May 1 at 2 at offices of Pollard, St Lawrence st, Ipswich.

Possford, Robert William, Sandon, Stafford, Tailor. April 24 at 11 at King's Arms Inn, Stone.

Pope, Philip Henry, Endon, Stafford, Public Accountant. April 24 at 2.30 at the North Stafford Hotel, Stoke-on-Trent. Hollinhead, Tunstall.

Potts, Hannah, Aldershot, Toy Dealer. April 26 at 12 at offices of Eve, Victoria rd, Aldershot.

Powell, James, Gateshead, Grocer. April 24 at 2 at offices of Hoyle and Co, Collingwood st, Newcastle-upon-Tyne.

Powell, Thomas, Mitcheldean, Gloucester, Licensed Victualler. April 23 at 12 at offices of Dibghon, Mitcheldean.

Priest, John Rees, Porth, Glamorgan, Grocer. April 25 at 11 at the Queen's Hotel, Cardiff.

Quennell, Cecil, Norfolk rd, Dalston lane, Commercial Clerk. April 27 at 10 at offices of Morley and Squires, Palmerston building, Old Broad st.

Quick, John Roy, Gussage All Saints, Dorset, Surgeon. May 2 at 1 at offices of Brendam, Blandford.

Quinn, John, Bolton, Painter. April 26 at 10 at offices of Fielding, Bowker's row, Bolton.

Reece, William Henry, Queen's rd, Baywater, Cigarette Manufacturer. April 24 at 4 at offices of Yorke, Marylebone rd.

Richards, William, Tonypandy, Glamorgan, Builder. April 27 at 2 at the Royal Hotel, Cardiff.

Robinson, Charles, Great Grimsby, Saddler. April 23 at 1 at offices of Sharp, Spring gardens, Gainsborough.

Rushout, Lake, Millgate, Lancashire, Grocer. April 26 at 3 at offices of Standing, King st, Rochdale.

Russell, James, Cardiff, Engraver. April 25 at 2 at offices of Munn and Co, Crockerbytown, Cardiff. Merrills.

Ryan, John, Arthur James Ryan, and Catherine Ryan, Cambridge, Linen Drapers. April 24 at 11 at offices of Ellison and Co, Alexander st, Petty Cury.

Salt, Michael Bateman, Manchester, Fruiterer. April 23 at 3 at offices of Garthwaite, Brazenose st, Manchester.

Septon, William, Walton-le-Dale, Lancashire, Builder. April 25 at 11 at the Shelley Arms Hotel, Fishergate, Preston. Banks, Preston.

Shearman, Francis, Nottingham, out of business. April 27 at 2 at offices of Lee, jun, Middle pavement, Nottingham.

Smith, William Dennis, Nottingham, Builder. April 26 at 12 at offices of Wyles, Low pavement, Nottingham.

Speke, Richard Andrew, Southport, Accountant. April 26 at 3 at offices of Cox and Jackson, London st, Southport.

Sunderland, James, Birmingham, Photographer. April 24 at 12 at offices of Davies, Bennett's hill, Birmingham.

Taylor, John, Derby, Hatter. April 25 at 3 at offices of Hexall, Full st, Derby.

Taylor, John, Henderson, and James Henderson Taylor, Halliwell, Lancashire, Builders. April 25 at 11 at offices of Kenan, Acrefield, Bolton. Wilson, Chorley.

Taylor, William, Bradford, Woolstapler. April 24 at 3 at offices of Berry and Robinson, Charles st, Bradford.

Thornton, John, Wharton, Cheshire, Draper. April 24 at 3 at offices of Vaughan-Jones, Bridge st, Manchester.

Thomas, Josiah, Gayton, Stafford, out of business. April 20 at 12 at the Talbot Hotel, King st, Wolvehampton. Bowen, Stafford.

Tomkins, Edward, Sheerness, Licensed Victualler. April 24 at 12.30 at offices of Copland, Edward st, Sheerness.

Underwood, James, Holloway rd, Draper. April 24 at 12 at offices of Ladbury and Co, Cheapside.

Varley, William, Huddersfield, Potato Dealer. April 24 at 3 at offices of Wainwright and Mason, King st, Wakefield.

Vogan, Randal George, Charles Vogan, and Randal Vogan, Mill st, Dockhead, Corn Merchants. April 25 at 11 at the Sale Room, New Corn Exchange, Market lane. Plevs and Co, Market lane.

Walker, Anthony, Newby, York, Farmer. April 20 at 11 at the Corporation Hotel, Middlesbrough.

Walker, William, Bostom, Nottingham, Victualler. April 20 at 12 at offices of Parsons and Son, Wheatsheaf, Nottingham.

Wall, Lot, Axbridge, Somerset, Beerhouse Keeper. April 26 at 12.30 at the George Railway Hotel, Victoria st, Bristol. Webster, Axbridge.

Westfield, William Henry, Gutier lane, Cheapside, Trimming Warehouseman. April 23 at 11 at offices of Marsden, Gutier lane, Cheapside.

Wilding, George, Amhurst rd, Hackney, Grocer. April 24 at 3 at offices of Green, Queen st, Cheapside.

Williams, Benjamin, Pallion rd, Sloane sq, Cab Proprietor. April 20 at 2 at 17, Portugal st, Lincoln's Inn fields. Hope.

Wilson, William, Gateshead, Durham, Stone Cutler. April 27 at 12 at offices of McAllum, Grainger st west, Newcastle-upon-Tyne.

Richardson, Newcastle-upon-Tyne.

Wormald, Joshua, Everton, Liverpool, Butcher. April 25 at 2 at offices of Etty, Lord st, Liverpool.

TUESDAY, April 16, 1878.

Alexander, Robert, Liverpool, Draper. May 2 at 1 at offices of Green, Clayton sq, Liverpool.

Allison, William, West Hartlepool, Bootmaker. May 6 at 3 at offices of Bell, Church st, West Hartlepool.

Anderson, George, Reform Club, Pall Mall, M.P. April 26 at 2 at the Incorporated Law Institution, Chancery lane. Maynard, Clifford's inn.

Andrews, William, Nobold, Salop, Farmer. April 23 at 11.30 at the Crown Hotel, Shrewsbury, Corner, Hereford.

Atherley, John, Arnold, Nottingham, Framemason. May 1 at 4 at offices of Freeth and Co, Low pavement, Nottingham.

Bailey, Harry, Barnsley, Accountant. May 2 at 10 at offices of Ridel, Chronicle chambers, Barnsley.

Baldwin, Thomas, Halifax, Woolen Merchant. April 24 at 3 at offices of Longbottom, Northgate chambers, Halifax.

Bamford, Joseph, Stamford, Lincoln, Outfitter. April 29 at 11 at offices of Law, St Mary's place, Stamford.

Batley, Edward, Eastborough, York, Grocer. May 1 at 10.30 at offices of Ridgway and Ridgway, Union st, Dewsbury.

Bailey, Frederick Charles, Leicester, Manager. May 4 at 11 at offices of Hextall, Full st, Derby.

Beevers, William, Park gate, Rotherham, York, Labourer. April 29 at 2 at offices of Whitfield and Peagam, Evingham st, Rotherham.

Birt, Thomas Henry, Swansea, General Merchant. April 29 at 11 at offices of Thomas, York place, Swansea.

Blackmore, John, Bow, Devon, Miller. May 1 at 2 at the White Hart Inn, Bow, Stepney.

Blake, John, Banwell, Somerset, Mason. April 35 at 12 at offices of Glyde, John st, Bristol.

Bradley, William, Halifax, Stonemason. May 1 at 3 at offices of Rhodes, Horion st, Halifax.

Brown, Thomas, Rode lane, Engineer. April 20 at 3 at the Guildhall Tavern, Gresham st, Bristol. Laurence Pountney lane.

Cartridge, James, Wakefield, Greengrocer. April 29 at 3 at offices of Lake, Southgate, Wakefield.

Cockrell, Gordon James, Wanstead, Essex, Commission Agent. May 2 at 2 at offices of Staapcole, Fanner's Hall, Old Broad st.

Coldham, Dinah, Horsham, St Faith's, Norfolk, out of business. April 25 at 12 at the Post Office Tavern, Post Office st, Norwich.

Cruwys, Samuel Steer, Bideford, Devon, Tobacconist. May 1 at 11 at offices of Thorne, Castle st, Barnstaple.

Dadd, Alfred Daniel, New Nichol st, Shoreditch, Cabinet Maker. April 26 at 1 at offices of the Debt Recovery and Liquidation Co, Finsbury place.

Dixon, Elijah, Horbury, York, Innkeeper. April 29 at 11 at offices of Lake, Wakefield.

Drew, Thomas William, Baker st, Commercial rd, General Dealer. April 23 at 4 at 19, Worship st, Finsbury. Fenton, Highgate.

Dunn, Thomas, Roman rd, Old Ford, Draper. May 9 at 3 at offices of Ellis and Crossfield, Mark lane.

Edge, Robert, Chobham, Lancashire, out of business. April 29 at 3 at offices of Whittingham, Church st, Leigh.

Edwards, John, Marsh, York, Painter. April 27 at 11 at offices of Ainsley, New st, Huddersfield.

Farrar, Samuel Joyce, North Woolwich, Kent, Grocer. April 25 at 1 at offices of Whale, William st, Woolwich.

Fear, Samuel, Chew Magna, Somerset, Butcher. May 3 at 2 at offices of Nickolls, Chew Magna, Miller, Bristol.

Fink, Pinkus, South Shields, Glazier. April 30 at 3 at offices of Blair, King st, South Shields.

Frow, Jonathan Wainwright, Ranby, Nottingham, Farmer. April 26 at 12 at the Queen Hotel, Retford. Marsh and Pollard, Retford.

Fulton, John, Maryport, Cumberland, Innkeeper. May 1 at 11 at 27, Kirby st, Maryport. Collins.

Gelder, Charles, Blackburn, Butcher. April 26 at 11 at offices of Livesey and Talbot, New Market st, Blackburn. Walton, Blackburn.

George, Benjamin Lewis, Brynmawr, Breconshire, Upholsterer. April 29 at 1 at offices of Brown, Brynmawr.

Graham, Charles, Exeter, Grocer. April 25 at 3 at offices of Petherick, Southernhay, Exeter.

God, Morris, Wilkes st, Spitalfields, Clothier. April 29 at 11 at 8, North building, Eton st, Finsbury. Dohson, Duke st, Aldgate.

Gould, Charles, Kingston-upon-Hull, Confectioner. May 1 at 11 at 25, Parliament st, Kingston-upon-Hull. Priestman.

Gribben, Julia, Scarborough, Fish Dealer. April 27 at 10.30 at offices of Williamson, Newborough st, Scarborough.

Hall, James, Leeds, Engineer. April 25 at 3 at offices of Cousins, Bank chambers, Park row, Leeds.

Harriott, George, Birmingham, Paper Box Maker. April 26 at 3 at offices of Walford, Waterloo st, Birmingham

Barrison, John, Ingleton, York, Tailor. April 30 at 10.30 at the Wheatsheaf Inn, Ingleton. Gregg, Kirkby Longdale

Harrison, Thomas, Leeds, Stonemason. May 1 at 2 at offices of Marshall and Davy, Albion st, Leeds

Holdryd, William Fitton, Cleckheaton, York, Innkeeper. May 1 at 3 at the Commercial Inn, Cleckheaton. Barber, Brighouse

Hollis, Samuel, Cottamore, Rutland, Butcher. April 29 at 12 at offices of Law, St. Mary's place, Stamford

Hey, Samuel, John, Camden passage, Illington, Furniture Dealer. May 1 at 3 at offices of Heathfield and Son, Lincoln's Inn fields

Hunter, James Welch, Leicester, Printer. April 26 at 12 at offices of Hunter and Curtis, Halford st, Leicester

Icke, Thomas, Wolverhampton, Grocer. April 29 at 11 at the Globe Inn, Mount Pleasant, Bilston. Bowen, Bilston

Jackson, Thomas, Luton, Hereford, Timber Merchant. May 2 at 12 at 2, Mill st, Ludlow. Bowles

Jenkins, George, Ebbw Vale, Monmouth, Chemist. April 30 at 3 at the Bridge End Hotel, Ebbw Vale. Powell, Ebbw Vale

Keeler, Edward, Sheffield, Cutlery Manager. April 30 at 10 at offices of Forrest, Barns st, Sheffield

King, John, Broadway hill, Ilminster, Fruit Merchant. May 1 at 11 at offices of Pauli, Ilminster

Kitchin, George, Potton, Bedford, Baker. May 1 at 11 at offices of Smith, Sandy, Bedford

Knight, James, Tamworth, Warwick, Boot Maker. April 29 at 2 at offices of Hawkes and Weeks, Temple st, Birmingham

Levy, John, and Lewis Levy, Whitechapel rd, Cigar Manufacturers. April 25 at 3 at offices of Mardon, Moorgate st, Cattlin, Wormwood st, Old Broad st

Lewis, William Percy, Swansea, Draper. April 26 at 11 at offices of Thomas, York place, Swansea

Lewis, William William, Llantrisant, Glamorgan, Quarryman. April 27 at 2.30 at offices of Jones, Philharmonic chambers, St Mary st, Cardiff

Machin, Peter, Church Lawton, Cheshire, Builder. April 30 at 12 at offices of Cooper and Co, John st, Tunstall, Stafford. Sherratt, Tunstall

Mahony, Patrick, Woolwich, Coal Merchant. April 30 at 3 at offices of Cooper, Chancery Lane

Manton, Thomas, Leicester, Commission Agent. April 29 at 12 at offices of Wright, Gallowtree gate, Leicester

Mathias, Catherine Maria, Swansea, Draper. April 26 at 11 at offices of Beer and Kennard-Bill, York place, Swansea

McKenzie, Robert Jeffrey, Newcastle-upon-Tyne, Wine and Spirit Merchant. April 27 at 11 at offices of Joel, Newgate st, Newcastle-upon-Tyne

McPherson, John Robert, Pentonville rd, Brush Maker's Assistant. April 27 at 2 at 37, Bedford row, Marshall

Morgan, Joseph, Walcot, Bath, Grocer. April 27 at 12 at offices of Titley, Orange grove, Bath

Morgan, William Gladwell, Small Heath, or Birmingham, Joiner. April 24 at 12 at offices of Ladbury, Newhall st, Birmingham

Moss, John, Tredegar, Mon, Grocer. April 29 at 11 at offices of Shepard, Chapel st, Tredegar

Muggleton, Edward Lay, Sittingbourne, Coal Merchant. May 1 at 12 at offices of Winch, High st, Sittingbourne

Myst, John, Bilston, Potter. May 1 at 11 at the Globe Inn, Mount Pleasant, Bilston. Bowen, Bilston

Nobbs, Thomas Ellis, Shepherdess walk, City rd, Tailor. May 2 at 2 at offices of Start, Ironmonger lane

Nobbs, William Charles, Merthyr Tydfil, Miller. April 27 at 3 at offices of Simons and Plevs, Church st, Merthyr Tydfil

Owen, Robert John, Old Trimdon, Durham, Grocer. May 3 at 11 at offices of Chambers, Seale st, Durham

Palmer, Rev Charles Edwin, West Hartlepool. May 8 at 11 at offices of Turnbull and Tilly, Church st, West Hartlepool

Pimroke, Harrist, William, Bishop, and James Cowell, Forest hill, Kent, Butchers. May 1 at 3 at offices of Crouch and Spencer, Queen Victoria st

Poole, William, Gillow Heath, Stafford, Sawyer. April 30 at 11 at offices of Sherratt, Market st, Kidsgrove

Poole, John George, Broseck, York, Builder. May 1 at 12 at offices of Jackson and Jackson, Albert rd, Middlesborough

Rawson, Charles, Woodbridge, Suffolk, Dealer. May 3 at 11 at offices of Waite, Buttermarket, Ipswich

Ray, John, Buckingham, Public house Manager. April 27 at 10 at offices of Crosby, Bridge st, Banbury

Richardson, Matthew, Middlesborough, Gunsmith. April 29 at 12 at offices of Brewster and Brewster, Bridge st, West Middlesborough

Rogers, Walter, Dunstable, Bedford, Draper. May 3 at 11 at 145, Queen st, Dunstable

Rumball, Edward James, Maidenhead, Hairdresser. April 29 at 10.30 at offices of Rawson, High st, Great Marlow

Simpson, Oswald, and Samuel Carter, Ashton-under-Lyne, Lancashire, Hat Manufacturers. May 1 at 3 at offices of Toy and Broadbent, Park Parade, Ashton-under-Lyne

Sutcliffe, Charles Singleton, Howden, York, Printer. April 22 at 12 at offices of Green, Howden

Swain, Thomas, Jun, Sandbach, Cheshire, Travelling Tailor. April 29 at 11 at 75, Market st, Crewe. Poinsett

Thompson, Isaac, Cleator, Cumberland, Butcher. April 29 at 2 at offices of Whittle, Public Offices, Cleator Moor

Thornton, John, Armley, Leeds, Waste Dealer. April 26 at 11 at offices of Harrison, East Parade, Leeds

Townshend, Peter, Widnes, Lancashire, Engineer. May 3 at 3 at offices of Norden and Mason, Victoria st, Liverpool

Turnball, Francis, Westborough, York, Painter. April 26 at 2 at offices of Hick, Newborough st, Scarborough

Vaughan, Abel, Liverpool, out of business. April 30 at 3 at offices of Harris, Union court, Liverpool

Walsh, Patrick, Wrexham, Denbigh, Travelling Draper. April 27 at 3 at the Queen's Railway Hotel, Chester. Sherratt, Wrexham

Walter, Enoch, Wolverhampton, Padlock Maker. April 27 at 11 at offices of Stratton and Rudland, Queen st, Wolverhampton

Wardrobe, Thomas, Kingston-upon-Hull, Draper. April 26 at 11 at offices of Spur, Market place, Kingston-upon-Hull

Watson, Thomas, and Jane Simpson, Newcastle-upon-Tyne, Woollen Drapers. April 25 at 3 at the George Hotel, Huddersfield. Bond, Newcastle

Webb, Alfred, Kennington rd, Cheesemonger. April 30 at 2 at offices of Coburn and Young, Leadenhall st

Webb, James, North Walsham, Norfolk, Draper. May 3 at 12 at 145, Cheapside. Pollard, Ipswich

Webster, George, Bedminster, Bristol, Skin Broker. April 29 at 12 at offices of Benson, Broad st, Bristol

Whitaker, Samuel, Stallingborough, Lincoln, Grocer. April 24 at 3 at the Barborough Hotel, Great Grimsby. Walker and Co, Spilsby

Williams, Thomas, Blaenavon, Monmouth, Grocer. April 26 at 12 at offices of Gibb and Llewelyn, Tredegar place, Newport

Willis, Richard, Hoxton st, Hoxton, Baker. April 25 at 2 at 19, Worship st, Finsbury. Fenton, Highgate

Willis, Frederick Thomas, Teignmouth, Devon, Butcher. April 29 at 3 at the Queen's Hotel, Teignmouth. Pearson and Whidborne

Willmer, George, Leeds, Tailor. April 29 at 3 at offices of Lee and Co, Infirmary st, Leeds

Wilson, Mary, Knaresborough, York, Draper. April 30 at 2 at Wharton's Hotel, Park lane, Leeds. Weston

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REPORT, 1877.

The 3rd Annual Report just issued, and the Balance Sheets for the year ending June 30, 1877, as referred to the Board of Trade, can be obtained at either of the Society's Offices, or of any of its Agents.

GEORGE CUTLIFFE, ACTUARY AND SECRETARY.

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10 per cent. on the First Premium, and 5 per cent. on Renewals, is allowed to Solicitors. The Commission will be continued to the person introducing the Assurance, without reference to the channel through which the Premiums may be paid.

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